

MEMORANDUM

To: Kirkland Hearing Examiner

From: David Aldridge III, Planner

Adam Weinstein, AICP, Director of Planning and Building

Date: August 4, 2022

File: ZON21-00113

Subject: APPEAL OF WATERSHED COTTAGES DECISION

I. INTRODUCTION

- A. <u>Appellant</u>: Elizabeth Lyons, residing at 4705 112th Ave NE, Kirkland, WA 98033, on behalf of Matthew Lyons, Nicole Desmul, Sam Ziemba, Aaron Bosworth, Jennifer Bosworth, Edward Sheets, Mary Rawson Foreman-Rorrer, and Kirk Rorrer.
- B. <u>Applicant</u>: Dominique Ruybal
- C. <u>Actions Being Appealed</u>: The Planning Director decision on Permit No. ZON21-00113 (AKA Watershed Cottages) to approve an eight-unit cottage project within the geographic boundaries of the former Houghton Community Municipal Corporation.
- D. <u>Summary of Issues Under Appeal</u>: The appellant disputes the Planning Director's decision related to:
 - 1. A deficient geotechnical review;
 - 2. Changes to the project from the initial submittal;
 - Insufficient stormwater management review;
 - 4. Inadequate pedestrian and vehicular safety considerations;
 - 5. Inadequate tree protection;
 - 6. Violation of design standards and guidelines for cottage developments within the geographic boundaries of the former Houghton Community Municipal Corporation; and
 - 7. Failure to address impacts of eight cottage units including waste management, water quality, and environmental health.

Appeal of this action is allowed under Kirkland Zoning Code (KZC) section 145.60.

II. RULES FOR THE APPEAL HEARING AND DECISION

- A. <u>Rules</u>: Kirkland Zoning Code (KZC) Sections 145.60 and 145.105 set forth the rules for appeals of Planning and Building Director decisions on Process I permits.
- B. <u>Who May Appeal</u>: KZC Section 145.60 states the decision of the Planning and Building Director may be appealed by the applicant or any other individual or entity

who submitted written or oral comments to the Planning and Building Director.

- C. <u>Criteria for Submission of an Appeal</u>: Under KZC Section 145.60.2, the appeal, in the form of a letter of appeal, must be delivered to the Planning Department within 14 calendar days following the date of the distribution of the Planning and Building Director decision. It must contain a clear reference to the matter being appealed and a statement of the specific elements of the Planning and Building Director decision disputed by the person filing the appeal. Appeals from the decision of the Planning and Building Director will be heard by the Hearing Examiner.
- D. <u>Participation in the Appeal</u>: Under KZC Section 145.70, only the person(s) entitled to appeal the decision under KZC 145.60 may participate in the appeal. These persons may participate in the appeal in either or both of the following ways:
 - 1. By submitting written comments or testimony to the Hearing Examiner prior to the commencement of the hearing; or
 - 2. By appearing in person, or through a representative, at the hearing and submitting oral testimony directly to the hearing body or officer. The hearing body or officer may reasonably limit the extent of oral testimony to facilitate the orderly and timely conduct of the hearing.
- E. <u>Hearing Scope and Considerations</u>: KZC Section 145.75 states that the scope of the appeal is limited to the specific elements of the Planning and Building Director's decision disputed in the letter of appeal, and the Hearing Examiner may only consider comments, testimony, and arguments on these specific elements.
- F. <u>Decision on the Appeal</u>: Under KZC Section 145.105, the Hearing Examiner shall consider all information and material within the scope of the appeal submitted by the appellant. The hearing body or officer shall adopt findings and conclusions and either:
 - 1. Affirm the decision being appealed; or
 - 2. Reverse the decision being appealed; or
 - 3. Modify the decision being appealed.

III. HEARING SCOPE AND CONSIDERATIONS

KZC 145.95 states that the appellant has the burden of proving that the City made an incorrect decision.

IV. PROJECT PROPOSAL

- A. <u>Site Location</u>: A low density residential parcel located at 4559 112th Ave NE (see Attachment 1 in Enclosure 1).
- B. <u>Original Proposal</u>: Develop an existing 37,363 ft² (0.86-acre) parcel with eight cottages in the RS 8.5 zone within the geographic boundaries of the former Houghton Community Municipal Corporation. The RS 8.5 zone is a single-family residential zone with a minimum lot size of 8,500 ft². Cottage developments are allowed at two-times the density of a typical single-family development. The subject property could accommodate four individual lots or eight cottages (see Section E "Development Regulations" in Enclosure 1).
- C. <u>Planning Director Decision:</u> On May 5, 2022, the Planning Director approved the application subject to the conditions outlined in the staff report (see Enclosure 1).
- D. <u>Appeal Submitted</u>: On May 25, 2022, Elizabeth Lyons, on behalf of other eligible

appellants, filed a timely appeal of the Planning Director's Decision approving the cottage development (see Enclosure 2).

V. APPEAL ISSUES

The appellant contests the proposed cottage development based on the appeal issues listed in Section I.D above. KZC Section 145.80 requires that staff prepare an analysis of the specific elements of the Planning Director's decision disputed in the letter of appeal. The appellant's points of contention in Enclosure 2 are summarized below, followed by staff analysis.

A. Deficient Geotechnical Report

Appeal Issue: The original application used an out-of-date geotechnical report. The decision should be void because it is predicated on the inadequate report. The geotechnical analysis focuses on a single-family house on the flat portion of the lot. The geotechnical report does not analyze liquefaction potential and the grading plan as required by KZC 85.15. The staff report does not include an analysis of Attachment 12 (Sensitive Areas Map). The City must require a detailed environmental information report to adequately address the landslide hazard area, seismic hazard area, and erosion hazard area.

Staff Response: Geotechnical review is discussed in Section II.E of the Staff Report (see Enclosure 1). At one point in the project's history, the property owner considered improving the property with a single-family residence. At that time the applicant commissioned a geotechnical analysis. The applicant eventually decided to pursue a cottage project, and supplemented their geotechnical report with additional information related to the new proposal. While cottage developments are clearly different from a single-family project, the analysis of soil and subsurface conditions can be used to inform engineering and structural considerations for a cottage project. This level of subsurface exploration was considered acceptable to Associated Earth Sciences, Inc. (AESI), the City's peer review geotechnical consultant. The amount of site disturbance is similar for both proposals (e.g., lot coverage is similar), and both projects include a detention tank on the western portion of the property. The Riley Group, Inc. (RGI), the applicant's geotechnical consultant, included a letter in their report which states that the initial analysis also applies to the cottage project (see page 35 in Attachment 13 in Enclosure 1). RGI reiterated these statements in a letter responding to the appeal (see Enclosure 3).

Synthesizing an entirely new report from scratch was not deemed necessary for this proposal. The peer review report provided by AESI and dated August 11, 2021, states that the review is for an 8-unit cottage development (see Attachment 14 in Enclosure 1). In other words, AESI concluded that the information in the report prepared for the single-family project contained sufficient site-specific information to evaluate the feasibility and likely mitigation measures needed for the cottage project. Section II.A.1.a.4 of the staff report briefly describes terrain, but ultimately the analysis of AESI guides the City's decisions. The applicant's report discusses liquefaction and erosion hazards (see page 8 & 11 in Attachment 13 of Enclosure 1). Additionally, the applicant altered their grading plan to meet AESI's recommendations, which AESI later accepted (see Attachments 14 and 15 in Enclosure 1).

B. Changes from the original proposal

<u>Appeal Issue</u>: Several aspects of the proposal are different from the original submittal. Examples of changes include unit size of cottages and retaining wall

heights. Neighbors did not have the opportunity to respond to changes.

<u>Staff Response</u>: Staff reviews a proposal for compliance with the applicable codes. Plans evolve when changes that are needed to achieve full code compliance are requested by staff. The original proposal contained several code compliance issues, but the changes were minor in nature and necessary to comply with City codes.

In situations where the nature of a proposal changes greatly, the City may require a new comment period. The changes to this project from the initial application (e.g., reducing unit sizes to comply with the maximum allowed by code, adding retaining walls for the purpose of satisfying the requirement that common open space be "central" and "usable", etc.) were not substantially different from the original proposal.

C. Public Comments

<u>Appeal Issue</u>: The public comments enclosed with the staff report (see Attachment 5 in Enclosure 1) do not include all of the comments submitted by community members. One such examples are comments submitted by Edward Sheets on April 27, 2021. Elizabeth Sheets submitted comments about her concerns with street safety, and they were not addressed.

<u>Staff Response</u>: Staff failed to include public comments from Edward Sheets in the staff report (see Enclosure 4). This oversight was committed in error when compiling the public comment emails and letters. The key issues in Edward Sheets' comments were:

- Neighborhood Appropriateness
- Traffic and Safety Concerns
- Urban Forestry
- Geologically Hazardous Areas
- Affordable Housing

These key issues were essentially identical to those raised by other community members and therefore were addressed in the Staff Report. The exceptions are the perceived issues with the geotechnical report (these issues were included in the appeal and addressed in see Section V.A. above) and the proposition that the term "cottages" is a misnomer and that the applicant's previous work is not "charming."

The alleged deficiencies with the geotechnical report are analyzed above and the geotechnical report has been peer reviewed taking into account the cottage project (see Section V.A.).

In the Kirkland Zoning Code, "cottage" denotes a detached dwelling unit regulated pursuant to Chapter 113. The City can only enforce the regulations contained in KZC 113 and cannot reject a proposal based on subjective factors (e.g., aesthetics) that are not grounded in specific Zoning Code provisions.

Elizabeth Lyons' (AKA Elizabeth Sheets) comments are directly quoted and addressed in a memo from the City's Transportation Engineer (see Attachment 6 in Enclosure 1).

D. **Stormwater Management**

Appeal Issue: The construction of eight houses, corresponding hardscape (e.g., driveways, walkways, etc.) in addition to the removal of most onsite trees will cause issues with runoff. The technical information report details significant increases in flows that will only be exacerbated by climate change. The policy

should include more safeguards for storm runoff.

Staff Response: The subject property is within a Level 2 Flow Control Area (defined by the King County Surface Water Design Manual), which generally means that stormwater flow after project development must not exceed the pre-developed condition. In technical terms, the project is required to match developed discharge durations to pre-developed durations for the range of pre-developed discharge rates from 50% of the 2-year peak flow up to the full 50-year peak flow. It is also required to match developed peak discharge rates to predeveloped peak discharge rates for the 2-year and 10-year return periods. The applicant has proposed a detention system to achieve the Level 2 flow control standard. The TIR is thoroughly reviewed and finalized under the land surface modification (LSM) permit. The applicant has already, and will be (with the LSM permit) required to demonstrate compliance with the flow control standard.

Stormwater low impact development practices would be implemented where feasible based on the criteria of the King County Surface Water Design Manual. The steep slopes on the property reduce the feasibility of low impact development best management practices. The retention of natural hydrology and topography is infeasible due to the grading necessary to make the driveway and open space (and the site generally) usable. Vegetated swales and filter strips are mainly used along roadways and provide some infiltration and water quality treatment, but Public Works does not recommend infiltration on the site. Open channels with the steep driveway would cause erosion problems.

E. Special Requirements

<u>Appeal Issue</u>: The City has special regulations for areas with limited vehicular access, substantial geologically hazardous areas, and/or relatively undisturbed soils and vegetation (e.g., Goat Hill and the Holmes Point Overlay). The area near the subject property has similar characteristics and should also have special regulations.

<u>Staff Response</u>: The Goat Hill policies were created based on unique challenges that are specific to the Goat Hill neighborhood where street widths are 8-10' wide in some places and access for construction vehicles is limited. Many of the ideas presented in <u>Policy G-12</u> (see Enclosure 5) are applied to other projects with similar characteristics. For example, a pre-construction meeting, traffic control, standard work hours, and erosion control provisions will still be required for this project. Geotechnical consultants will be required onsite during grading activity based on the findings of the geotechnical slope analysis. No unique impacts would be generated by the cottage project with the implementation of the aforementioned standard construction practices.

F. Urban Forestry

Appeal Issue: The proposed development removes 25 of 38 trees. Construction will potentially affect the health of both retained onsite and offsite trees. While tree risk assessments will be required for potentially affected trees, there are no assurances that offsite trees will be fully protected. Many of the trees to be removed are large and mature, and the extent of onsite "clear-cutting" departs from the norm with respect to tree conservation.

<u>Staff Response</u>: KZC 95.30.1 states "The City's objective is to retain as many viable trees as possible on a developing site while still allowing the development proposal to move forward in a timely manner." This site currently has one modest single-family home. Most of the site is densely wooded. Redevelopment of this site would require removal of several significant trees. The Urban Forestry reviewer

previously reviewed proposals for one new single-family home and a 4-lot short plat on this site. Both plans would also have also resulted in the removal of many significant trees.

The required stormwater infrastructure and grade changes proposed with the new cottages makes it difficult to retain many trees. The stormwater infrastructure had to be placed on the west side of the property and the soils on the site influenced the sizing of the detention vault. Another important consideration for this site was windthrow. Often trees that are growing closely together would no longer be windfirm if adjacent trees are removed. Given that this site was densely wooded, trees that might have had sufficient room for root protection could not be retained due to windthrow concerns. The City balances reasonable development with tree protection. With the goal of increasing volume and variety of housing units, the City allows for double density, which is not conducive to maximum tree protection. This is a difficult site for tree retention but the City was able to protect some trees on site, and the tree protection that is achieved is completely consistent with the requirements of KZC 95.

In the version of KZC 95 to which this project is vested, protections for neighboring trees are substantially less than protections for high retention value trees (viable and windfirm trees located within required yards) on site. The only requirements are that neighboring tree locations, their corresponding driplines, and Limits of Disturbance (LOD's) are included in the inventory and site plan. At multiple stages of the review, the applicant was asked to move structures to accommodate protection of neighboring trees. The Applicant was also required to consider alternative stormwater infrastructure designs that might result in additional on-site and neighboring trees being retained. Additionally, the City is requiring an arborist to be on-site for excavation near tree roots. A Tree Risk Assessment of the neighboring trees will be provided to the affected homeowners after excavation near neighboring trees. The issue of offsite trees being affected by construction activity on an adjacent parcel is ultimately a civil matter between neighbors.

G. **Driveway and Pedestrian Path Grade**

<u>Appeal Issue</u>: The access road and pedestrian path are too steep to be usable. There is one area where the elevation drops from 394' to 380' over the course of 30'.

<u>Staff Response</u>: The applicant is compliant with the maximum allowed grade of 15% (see KZC 105.12). KZC 113 does not list maximum grades for pedestrian connections. Staff accepts the proposed 15% grade as usable.

H. Design Standards and Guidelines

<u>Appeal Issue</u>: The proposal does not meet the Design and Standard guidelines listed in KZC 113.35. Alleged deficiencies include:

- <u>Orientation</u> <u>Units adjacent to common open space do not include the required primary/secondary entrance and/or covered porch
 </u>
- Open Space Too steep to be usable with grades exceeding 40% in some areas
- Low Impact Development (LID) The proposal fails to meet Kirkland Surface Water Standards
- Variation All structures are the same size and design
- Pedestrian Connections No pathways are included and the driveway is too steep

Staff Response: Units 2,3,6, and 7 abut common open space, and all have covered

porches directly adjacent to the open space (see Attachments 2 and 9 in Enclosure 1).

Finished grade does not include slopes exceeding 40%. The elevation transition from 394' to 380' includes retaining walls and a flatter area to ensure the common open space is centrally located and usable.

See Section V.D above for discussion on LID practices.

There is an adequate amount of variation on units (see Attachment 6). For example, cottages 4 and 5 are directly adjacent and completely different styles of home (i.e., different roof form, unit size, finishing's, etc.). Units 3 and 6 are the same style but have a flipped floor plan and different paneling on the front façade. Additionally, two units are smaller than the other six.

A 4' pedestrian path is combined with the access driveway (see page 1 of Attachment 2 in Enclosure 1). The pedestrian pathway is at the same grade as the driveway (to allow passing by vehicles) but is differentiated by the paving material. The pedestrian path is only located along one side of the driveway; this minimizes the amount of impervious surface on site while still allowing for safe pedestrian access from the right-of-way to all units and common open space.

Affordable Housing

<u>Appeal Issue</u>: Affordable housing is not triggered until 10 units. This proposal should include affordable housing due to increased density.

<u>Staff Response</u>: Affordable units are not required until projects include at least 10 units (see KZC 113.40). The City cannot apply more robust affordable housing requirements to a development proposal beyond those outlined in the Zoning Code.

J. Pedestrian and Traffic Safety

<u>Appeal Issue</u>: Pedestrian and traffic safety is not adequately addressed. The proposal will substantially increase traffic and endanger pedestrians, including children. Residents of the cottage development may park on the street during periods of heavy snowfall.

<u>Staff Response</u>: The Transportation Engineer provided a memo responding to concerns about pedestrian and traffic safety concerns (see Attachment 6 in Enclosure 1). The Transportation Engineer subsequently provided another memo with responses to the appeal letter (see Enclosure 7). There are no reported congestion or emergency vehicle access issues on 112th Ave NE. Staff has visited the street at different times and observed moderate utilization of on-street parking. The number of trips generated by eight cottages will have a negligible impact on traffic. There have been no vehicular accidents on 112th Ave NE between NE 53rd and Watershed Park in at least six years, and additional traffic does not inherently result in more accidents. The road width is sufficient to accommodate temporarily increased street parking during the few days of inclement weather that occur annually. As stated in the staff report, SEPA, the process by which we consider impacts that are not accounted for in City codes and policies, is not applicable to residential projects under 20 units. Existing traffic concerns can be addressed through the City's <u>Neighborhood Traffic Control Program</u>.

Program.

K. Trash Cans

Appeal Issue: Development will result in an additional 24 waste bins along the

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right-of-way on pick-up days.

<u>Staff Response</u>: Waste Management has agreed to do all waste pickup on the subject property (see Attachment 8 in Enclosure 1). The location of waste pickup is called out on page 1 of the Applicant's Proposal (see page 1 of Attachment 2 in Enclosure 1). No additional waste containers will be placed along 112th Ave NE.

VI. CONCLUSION AND RECOMMENDATION

Based on review of the appellant's submittal, staff analysis and response, the City recommends the Hearing Examiner affirm the initial Planning Director Decision.

VII. <u>ENCLOSURES</u>

- 1. Watershed Cottages (ZON21-00113) Staff Report with attachments
- 2. Appeal Letter filed by Elizabeth Lyons
- 3. RGI Response to Appeal
- 4. Edward Sheets' Comments
- 5. Policy G-12
- 6. Unit Elevations
- 7. Transportation Engineer Memo

cc: Dominique Ruybal, Applicant Parties of Record (ZON21-00113)



ADVISORY REPORT FINDINGS, CONCLUSIONS, AND RECOMMENDATIONS

To: Adam Weinstein, AICP, Planning and Building Director

From: David Aldridge III, Project Planner

Date: May 5, 2022

File: ZON21-00113

I. <u>INTRODUCTION</u>

A. APPLICATION

1. Applicant: Dominique Ruybal

2. Site Location: 4559 112th Ave NE

- 3. <u>Request</u>: Develop an existing 0.86-acre parcel with 8 cottages in the RS 8.5 zone within the Houghton Community Municipal Corporation.
- 4. Review Process: Process I, Planning Director decision.
- 5. <u>Summary of Key Issues and Conclusions</u>: Compliance with Kirkland Zoning Code (KZC) criteria for constructing cottage units in the RS 8.5 Zone within the Houghton Community Municipal Corporation.

B. RECOMMENDATIONS

- 1. Based on Statements of Fact and Conclusions (Section II), and Attachments in this report, I recommend approval of this application subject to the following conditions:
- This application is subject to the applicable requirements contained in the Kirkland Municipal Code, Zoning Code, and Building and Fire Code. It is the responsibility of the applicant to ensure compliance with the various provisions contained in these ordinances. Attachment 3, Development Standards, is provided in this report to familiarize the applicant with some of the additional development regulations. This attachment does not include all of the additional regulations. When a condition of approval conflicts with a development regulation in Attachment 3, the condition of approval shall be followed.
- 3. As part of the application for an LSM/building permit the applicant shall:
 - a. Incorporate the recommendations of the geotechnical report prepared by The Riley Group dated April 29, 2020 and supplemental memo (see Attachments 12 and 14) (see Conclusion II.E.3.b.1).
 - b. Follow the standard conditions regarding geologically hazardous areas as described in Attachment 3 (see Conclusion II.E.3.b.2).

- c. Submit a tree retention plan (Major) that is consistent with attachment 18 (see Conclusion II.E.5.b.1).
- d. Submit tree risk assessments for affected offsite trees at each stage (see Conclusion II.E.5.b.2).
- e. Obtain and submit written permission for all owners to remove any shared trees (see Conclusion II.E.5.b.3).
- f. Follow the additional tree retention conditions as described in Attachment 3 (see Conclusion II.E.5.b.4).

II. FINDINGS OF FACT AND CONCLUSIONS

A. SITE DESCRIPTION

- 1. Site Development and Zoning:
 - a. Facts:
 - (1) Size: 37,363 ft² (0.86 acres)
 - (2) <u>Land Use</u>: The subject property is currently developed with a single-family residence.
 - (3) Zoning: RS 8.5, Low Density Residential
 - (4) Terrain and Vegetation: The subject property slopes down from east to west with a total elevation change of 34' (see Attachment 4). Steep slopes that meet the City's definition of high-landslide area exist in the central portion of the site. Dense vegetation and tree cover currently exists on the property.
 - b. <u>Conclusions</u>: The size, existing land use, and zoning of the subject property are not constraining factors in the review of this project. Insofar as terrain is a constraining factor, the issues are analyzed in the following below sections. The site is subject to the Tree Retention Plan Major standards of the zoning code.
- 2. Neighboring Development and Zoning:
 - a. <u>Facts</u>: The zoning and development adjacent to the subject property is as follows:
 - (1) North: RS 8.5, Single-family Residential
 - (2) East: Park, Watershed Park
 - (3) South: RS 8.5, Single-family Residential
 - (4) West: RS 8.5, Single-family Residential
 - b. <u>Conclusion</u>: The neighboring development and zoning to the north, east, south, and west are not constraining factors in the review of this permit.

B. PUBLIC COMMENT

- 1. Facts:
 - a. The public comment period for this project ran from April 8, 2021 to April 30, 2021. Attachment 5 contains all public comments received during the public comment period. Below is a summary of public comments followed by a brief staff response.
 - (1) <u>Traffic</u>: Traffic is already elevated because of the access point for Watershed Park. Additional units resulting from doubled density

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will cause congestion with not only with passenger vehicles, but delivery services as well. The increased activity presents safety concerns. Speeding is a constant issue and policy R-13 is not enforced by the City. Is access from 110th possible? Are additional traffic studies required?

<u>Staff Analysis</u>: See Attachment 6 for comments from the Transportation Engineer.

- (2) <u>Parking</u>: Parking is an issue on 112th Ave NE. Community members park on the sidewalk because is street is not wide enough to accommodate on street parking and two-way traffic. The lack of dedicated parking for the park exacerbates this problem. Delivery vehicles clog the parking capacity. No parking signs are commonly ignored. The City should disallow parking in the turnaround adjacent to the Watershed park entrance.
 - <u>Staff Analysis</u>: See Attachment 6 for comments from the Transportation Engineer.
- (3) <u>Density</u>: The proposal exceeds the maximum density allowed in RS 8.5. Eight cottage units are out of character for a quiet deadend road. Downtown would be a more appropriate location for this project.
 - <u>Staff Analysis</u>: Cottage projects are allowed at a density that is double that of the underlying zone. With a minimum lot size of 8,500 ft², the subject property could accommodate four conforming lots with standard single-family homes. The applicant is proposing 8 cottages, which is double the base density. KZC 113 regulations are designed to ensure that cottage developments fit in with single-family neighborhoods. While density is higher for cottage developments, they are an alternative housing choice intended for low density residential neighborhoods. The Comprehensive Plan calls for increased units and infill developments on smaller lots to increase housing options and affordability (see also Section E.1 "General Lot Layout and Site Development Standards for Cottages" below).
- (4) <u>Public Improvements</u>: The existing infrastructure cannot support the additional residences. The street is too narrow for two-way traffic with on-street parking and is too narrow for two-way traffic alone in some areas. The sidewalk does not span the entire length of the road and does not have a vertical curb. A vertical curb should be constructed adjacent the park to protect pedestrians.
 - <u>Staff Analysis</u>: See Attachment 6 for comments from the Transportation Engineer. Sewer is served with an 8" main at the northwest corner of the site. Water is served with an 8" main along 112th Ave NE. Storm outfall is tightlined into the connection point at the northwest corner of the site after the flow control facility. Public Works is requiring sidewalk and roadway widening (see Attachment 3). A modified roadway standard is in place for the east side of 112th Ave NE.
- (5) <u>Tree Removal</u>: Most of the trees on site will be removed. Visual impacts will be exacerbated by tree removal. The proposal does not comply with buffer standards. Shared trees cannot be removed. The applicant should replant 300+ trees in watershed

park to offset the tree removal.

<u>Staff Analysis</u>: Doubling density generally increases overall site disturbance which results in increased tree removal. The cumulative effect of several requirements makes it difficult to retain many trees on this site without removing 2+ units. These factors include:

- 18 total onsite parking spaces required (10 more than would be required for non-Houghton cottage projects; surface parking clusters cannot exceed four stalls and must be separated by at least 20').
- 3,200 ft² of contiguous central common recreation space (800-1,600 ft² more than would be required for non-Houghton cottage projects)
- A required turnaround to accommodate City Vactor trucks needed to maintain facilities.
- A detention tank at the only feasible location (the lowest elevation on site) that also corresponds with a concentration of high retention value trees.

The City is currently limited in what is required to protect offsite trees (zoning code changes to slow development-related tree removal are in progress but have yet to take affect). The applicant will be required to contract a qualified arborist to continually monitor the impacts to offsite trees and inform neighbors if their trees are adversely impacted by construction activity (see Attachment 3). If trees straddle the property line, both property owners are considered to own the tree. Any partial owner can be held liable if they remove shared trees without permission from the other owner(s) (see Section E.6). This also means that the City cannot authorize removal of trees owned in part or in whole by neighbors without approval from all owners. The applicant will have to come to an agreement with the neighbor and provide proof in writing before any shared trees can be removed. There are no codes that authorize the City to require replanting in Watershed Park. No tree removal is authorized with the zoning permit, and the arborist report must be revisited at the permitting stage.

(6) <u>Location</u>: The cottage project is within 500' of another KZC 113 development and therefore illegal. The addresses in question are 4531 112th Ave NE, 11010 NE 47th PL, and 11016 NE 47th PL.

<u>Staff Analysis</u>: There are no cottage or two/three-unit home developments within the vicinity of the subject property. *There are no residences assigned the address 11010 NE 47th PL per the City parcel map.*. Additionally, there were no cottage or two/three-unit home approvals on record for the other addresses provided.

(7) Affordability: The cottages will not be affordable.

<u>Staff Analysis</u>: The stated intent of the cottage code is to "to address the changing composition of households, and the need for smaller, more diverse, and often, more affordable housing choices." While cottages may not be affordable by strict standards (i.e., restricted to individuals and families at some percentage of annual median income) cottages offer an alternative to large

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single-family homes on large lots. As previously mentioned, this is also in line the goals for Central Houghton as stated in the Comprehensive Plan.

(8) <u>Zoning Regulations</u>: Ordinance 4717, which authorized cottage developments was not approved by the Houghton Community Council. Floor Area Ratio and max unit size are exceeded. How is LID achieved? Erosion control BMPs?

Staff Analysis: Houghton Community Council voted to reject Ord. 4717 and retain the original cottage code that was effective throughout all of Kirkland. The first iteration of proposed unit sizes and total floor area did exceed the maximum allowances. However, the plans were revised to conform with all KZC 113 standards (see Attachment 2). Please see the Technical Information Report for infeasibility criteria of LID BMPs (see Attachment 7). The consultant will use LID options where feasible based on-site information. Erosion control is enforced during construction. Project construction storm water pollution prevention plan (CSWPPP) is required to be updated as project progresses. The project must be designed to collect and detain flows generated from the required half street improvements.

(9) <u>Character</u>: Eight cottages have more negative impacts than 4 single family homes. Noise and activity will hurt adjacent properties. Multifamily homes designed to imitate single family such as those constructed Vancouver, BC will fit in better. Homes turn their back on the neighborhood.

<u>Staff Analysis</u>: See Attachment 6 for comments from the City Transportation Engineer regarding traffic related impacts. Two and three-unit homes are an alternative development option that is also regulated by KZC 113, but the applicant opted for cottages. The applicant incorporated the design elements listed in KZC 113 to be considered oriented toward the right-of-way (see Section E.1 "General Lot Layout and Site Development Standards for Cottages" below).

(10) <u>Design</u>: The cottages do not have yards. A fence should be required. Trash cans will line up along an already crowded 112th Ave NE. The hammerhead creates a parking cluster. Only one example of the dwelling units is provided.

<u>Staff Analysis</u>: All cottages are surrounded with private space, including backyards with 10' of depth. Additionally, 400 ft² of common open space per unit is provided. The access and turnaround are sufficient for Waste Management to service totes from the private driveway, and no additional cans will be placed along 112th Ave NE (see Attachment 8). No parking is allowed within the hammerhead and signs prohibiting it are required adjacent to the turnaround (excluding the two surface guest stalls on the south side of the turnaround) (see Attachment 3). Elevations and floor plans for each unit were provided (see Attachment 2)

(11) <u>Fire safety</u>: There is no fire access road. Will the spacing lead to fire safety issues?

<u>Staff Analysis</u>: Sprinklers are required to alleviate safety concerns resulting from limited fire access (see Operating Policy 2 - Automatic Sprinkler Standpipe Systems). The Fire Prevention Bureau has reviewed the project and determined it to be compliant with the standards set forth in the International Fire Code provided certain conditions are followed (see Attachment 3).

2. <u>Conclusion</u>: Insofar as the public comments pose constraints for the proposed development, the applicable topics are analyzed and discussed in the subsequent sections.

C. STATE ENVIRONMENTAL POLICY ACT (SEPA)

- 1. <u>Facts</u>: Section 145.20 of the Zoning Code states that the Planning Official shall review Process I applications for compliance with or exemption from the State Environmental Policies Act (SEPA) (Chapter 43.21C RCW). KMC 24.02.065(a) exempts the construction or location of twenty or fewer residential units from SEPA. The applicant proposes eight units.
- 2. <u>Conclusion</u>: The applicant's proposal meets the criteria to be exempt from the State Environmental Policy Act (SEPA). The City and applicant have satisfied the SEPA requirements.

D. APPROVAL CRITERIA

- GENERAL ZONING CODE CRITERIA
 - a. Facts:
 - (1) Zoning Code section 145.45.2 states that a Process I application may be approved if:
 - (a) It is consistent with all applicable development regulations and, to the extent there is no applicable development regulation, the Comprehensive Plan; and
 - (b) It is consistent with the public health, safety, and welfare.
 - Zoning Code section 113.45.4 states that a that a cottage development must demonstrate that:
 - (a) The proposal is compatible with and is not larger in scale than surrounding development with respect to size of units, building heights, roof forms, setbacks between adjacent buildings and between buildings and perimeter property lines, number of parking spaces, parking location and screening, access and lot coverage; and
 - (b) Any proposed modifications to provisions of this chapter are important to the success of the proposal as an alternative housing project and are necessary to meet the intent of these regulations.

b. Conclusions:

- (1) The proposal complies with the criteria in section 145.45.2. It is consistent with all applicable development regulations (see Sections II.E) and the Comprehensive Plan (see Section II.F). In addition, it is consistent with the public health, safety, and welfare as an allowed used In RS zones.
- (2) The proposal complies with the criteria in section KZC 113.45.4. It is compatible with, and not larger in scale, than surrounding

development and is consistent with all applicable development regulations (see Section II.E).

E. DEVELOPMENT REGULATIONS

- 1. General Lot Layout and Site Development Standards for Cottages
 - a. Facts: The following is a review, in a checklist format, of compliance with the parameters and design requirements for cottage developments found in KZC 113.

Complies as proposed	Complies as conditioned	Code Section
		KZC 113.25 Development Chart for Cottages, Carriage Units and Two/Three-Unit Homes.
		Maximum unit size for cottages is 1,500 ft² with an attached garage of no more than 250 ft² that is not included in unit size. Proposed unit sizes are as follows: Cottage 1: 1,499 ft² unit + 237.5 ft² garage Cottage 2: 1,499 ft² unit + 237.5 ft² garage Cottage 3: 1,499 ft² unit + 237.5 ft² garage Cottage 4: 1,085 ft² unit + 237.5 ft² garage
		Cottage 5: 1,499 ft² unit + 237.5 ft² garage Cottage 6: 1,499 ft² unit + 237.5 ft² garage Cottage 7: 1,499 ft² unit + 237.5 ft² garage Cottage 8: 1,085 ft² unit + 237.5 ft² garage Staff Analysis: The gross floor area of each proposed cottage is less than the maximum allowed 1,500 ft². All cottages include an attached garage that is smaller than the maximum allowed 250 ft².
		Maximum density is two times the maximum number of detached dwelling units allowed in the underlying zone. Staff Analysis: The subject property is 37,363 ft² and located in the RS 8.5 zone. Given the minimum lot size of 8,500 ft² for detached dwelling units in RS 8.5, the subject lot could accommodate 4.34 dwelling unit. Doubling the maximum number of detached dwelling units for the underlying zone results in 8.8 cottage units. Per footnote 6, When the conversion from detached dwelling units to equivalent units results in a fraction, the equivalent units shall be limited to the whole number below the fraction. Therefore, a maximum of 8 cottage units are allowed on the subject property. The applicant is proposing 8 cottages.
		Cottage projects must be between 4 and 24 units. Staff Analysis: The applicant is proposing 8 cottage units.

	Maximum floor area ratio (FAR) is 50% of lot size.
	Staff Analysis: The subject property is 37,363 ft ² . The applicant is proposing six 1,499 ft ² units and two 1,085 ft ² units, all with 237.5 ft ² garages. The total gross floor area given the proposed configuration is 13,064 ft ² which amounts floor area ratio of 34.97%.
	Developments containing cottage, carriage and/or two/three-unit homes may not be located closer than the distance noted below to another development:
	1 – 9 Units: 500' 10 – 19 Units: 1,000' 20 – 24 Units: 1,500'
	Staff Analysis: The applicant is proposing 8 cottages, so the subject property cannot be within 500' of another cottage, carriage and/or two/three-unit home project. There are no such developments within 500' of the subject property. Public comments indicated that three nearby properties were approved pursuant to KZC 113 which would disallow this proposal as a violation of the above. However, upon investigation, no cottages, carriage units, and/or two/three-unit homes were present at the addresses provided (see Section II.B Public Comments).
	Parking requirements are as follows:
	Units under 700 ft ² : 1 space per unit Units between 700 – 1,000 ft ² : 1.5 spaces per unit Units over 1,000 ft ² : 2 spaces per unit.
	*Must be provided on the subject property.
	Staff Analysis: The applicant is proposing 8 units, all of which exceed 1,000 ft². Additionally, guest parking spaces equivalent to 10% of the base parking requirement (rounded up to the next whole number) must be provided. Therefore, 18 total parking spaces (2 per unit + 2 guest stalls) are required. The applicant is proposing 8 private garages. Each cottage has 10′ x 20′ parking pad in front of the garage which is sufficient to be considered a parking stall. Additionally, two guest parking spaces are proposed adjacent to the required turnaround at the southwestern corner of the property The garages, parking pads, and guest stalls bring total onsite parking to 18 spaces.
	The subject property for cottage projects requires a 20' front yard setback; all other setbacks are 10'.
	Maximum lot coverage for cottage projects is 50% of lot size.

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		<u>Staff Analysis</u> : The subject property is 37,363 ft ² . The applicant is proposing 17,576 ft ² of impervious cover which amounts to 47.04% lot coverage.
		Maximum height above average building elevation (ABE) for cottages is as follows:
		Where minimum roof slope of 6:12 for all parts of the roof above 18' are provided:
		RS Zones: 25' RSA & RSX Zones: 27' Otherwise: 18'
		Staff Analysis: The subject property is in an RS Zone. All roof forms above 18' have a minimum roof slope of 6:12. Plans show a maximum height that is less than 25' above ABE for all structures.
		Cottage projects require 400 ft ² of common open space per unit.
		<u>Staff Analysis</u> : This project is for 8 units which requires 3,200 ft ² of common open space. The applicant is proposing 3,212 ft ² of common open space near the center of the property.
		Each unit must have a covered porch with a minimum area of 64 ft ² per unit and a minimum dimension of 7' on all sides.
		Staff Analysis: Each unit has a covered entry porch that is approximately 7'x12' with an area of around 84 ft ² .
as	as d	
Complies proposed	Complies conditioned	Code Section
		KZC 113.35 Design Standards and Guidelines for cottages
		Orientation of dwelling units
		To promote a sense of community, both within the development, and with respect to the larger community, outside of the cottage project.
		Where feasible, each unit abutting open space should have a primary entry and/or covered porch oriented to the common open space.
		Staff Analysis: Each unit abutting open space has covered porch that opens into the common open space (see Attachment 9).
		Each dwelling unit abutting a public right-of-way (not including alleys) shall have an inviting facade, such as a primary or secondary entrance or porch, oriented to the public right-of-way (ROW).
		Staff Analysis: Per proposed plans, each unit abutting the ROW shows a secondary entrance with French doors and an awning, as well as

	landscaping typical along the front façade on a single-family home (see Attachment 10).
	Common open space
	Developed and maintained to provide for passive and/or active
	recreational activities for the residents, and a sense of openness,
	visual relief, and community for the development.
	Each area of common open space shall be in one contiguous and usable piece with a minimum dimension of 20' on all sides. Required common open space may be divided into no more than two separate areas per cluster of dwelling units.
	Staff Analysis: The project includes two clusters of cottages (one on each side of the 20' driveway). Each division of open space is at least 20' on each side and essentially equivalent in area.
	Common open space shall be located in a centrally located area and be easily accessible to all dwellings within the development.
	<u>Staff Analysis</u> : Common open space is divided into two segments, both of which are located in the center of the subject property on opposite sides of the driveway.
	Landscaping located in common open space areas shall be designed to allow for easy access and use of the space by all residents, and to facilitate maintenance needs. Where feasible, existing mature trees should be retained.
	Staff Analysis: Open space landscaping includes sod and groundcovers, shrubs along the side, a single retained tree, and supplemental plantings along in the corners of the space. To encourage ease of access and use, the applicant proposes to grade the open space to reduce the natural steepness of the area (see Attachment 2).
	Unless the shape or topography of the site precludes the ability to locate units adjacent to the common open space, the following standards must be met:
	 a) The open space shall be located so that it will be surrounded by cottages or two/three-unit homes on at least two sides; b) At least 50% of the units in the development shall abut a common open space. A cottage is considered to "abut" an area of open space if there is no structure between the unit and the open space.
	Staff Analysis: Both open space sections are surrounded by units on the east and west side. These abutting cottages (Units 2,3,6, and 7) account for half the total of the proposed units.
	Surface water management facilities shall be limited within common open space areas. Low Impact Development (LID) features are permitted, provided they do not adversely impact access to or use of the common open space for a variety of activities. Conventional

 •	
	stormwater collection and conveyance tools, such as flow control and/or water quality vaults are permitted if located underground.
	<u>Staff Analysis</u> : No stormwater management facilities are proposed within the common open space.
	Shared Detached Garages and Surface Parking Design
	Should be located so their visual presence is minimized, associated noise or other impacts do not intrude into public spaces, and to maintain the single-family character along public streets.
	Surface parking areas may not be located in clusters of more than four spaces. Clusters must be separated by a distance of at least 20'.
	Staff Analysis: There are 10 total surface parking spaces proposed, eight of which function as parking pads in front of the attached garages included with each cottage. There is a cluster of 2 guest parking areas located adjacent to the turnaround at the southwestern portion of the property. All garages and associated parking pads are set back at least 49' from the ROW. Landscaping is proposed around the guest parking cluster to the rear. Additionally, the property will be surrounded by a 6' privacy fence.
	Low Impact Development
	The proposed site design shall incorporate the use of low impact development (LID) strategies to meet stormwater management standards. LID is a set of techniques that mimic natural watershed hydrology by slowing, evaporating/transpiring, and filtering water, which allows water to soak into the ground closer to its source. The design should seek to meet the following objectives:
	 Preservation of natural hydrology. Reduced impervious surfaces.
	3) Treatment of stormwater in numerous small, decentralized structures.
	4) Use of natural topography for drainageways and storage areas.5) Preservation of portions of the site in undisturbed, natural conditions.
	6) Reduction of the use of piped systems. Whenever possible, site design should use multifunctional open drainage systems such as vegetated swales or filter strips which also help to fulfill landscaping and open space requirements.
	Staff Analysis: The applicant has submitted a preliminary TIR (see Attachment 7). This document discusses the feasibility of various LID measures. The site is constrained by slopes and doubling of density results in increased site disturbance. The Public Works Department has approved a stormwater detention vault as necessary infrastructure to capture much of the on-site stormwater. The applicant has provided information to the City showing that some infiltration on the site is possible and has proposed permeable pavers with underdrain are for

	driveways, walkways and patios. The applicant plans to incorporate additional LID methods where feasible.
	Variation in Unit Sizes, Building and Site Design
	Cottage projects should establish building and site design that promotes variety and visual interest that is compatible with the character of the surrounding neighborhood.
	 Projects should include a mix of unit sizes within a single development. Proposals are encouraged to provide a variety of building styles, features and site design elements within cottage housing communities. Dwellings with the same combination of features and treatments should not be located adjacent to each other.
	Staff Analysis: The applicant proposes two 1,085 ft ² units and six 1,499 ft ² units. All cottages show architectural elements (e.g., siding, roof forms, windows, etc.) that differs from adjacent units. Required porches for units abutting the common open space and a secondary entrance for units along 112 th Avenue NE add to site diversity.
	Private Open Space
\boxtimes	Open space around individual dwellings should be provided to contribute to the visual appearance of the development, and to promote diversity in landscape design.
	Staff Analysis: All cottages are separated by a minimum of 10'. Additionally, all units are mostly surrounded by landscaping or natural areas, including 10' rear yards for each unit.
	Pedestrian Flow through Development
	Pedestrian connections should link all buildings to the public right-of-way, common open space, and parking areas.
	Staff Analysis: A 4' pedestrian walkway travels from the ROW along the north side of the driveway to the private walkway for the westernmost unit. The connection direct intersects the four northern units and section of common open space. The southern units and section of open space can be accessed by crossing the driveway.

2. Right-of-Way Improvements

- a. <u>Facts</u>: Access Right-of-Way: Municipal Code section 22.28.090 requires the applicant to comply with the requirements of Chapter 110 of the Zoning Code with respect to dedication and improvement of adjacent right-of-way
 - (1) Zoning Code Chapter 110 establishes right-of-way improvement requirements:
 - (2) Sections 110.10 and 110.25 require the applicant to make half

street improvements in rights-of-way abutting the subject property. The subject property abuts 111th Ave NE which is shown on the City Rights-of-Way Designation Map as a Neighborhood Access street. Section 110.50 establishes that a Neighborhood Access street must be generally improved with:

- (a) A vertical Curb and gutter
- (b) A 4.5' landscaped strip with trees planted 30' on center
- (c) A 5' sidewalk
- (d) 20' of pavement
- (3) Public Works submitted conditions for right-of-way improvements specifically tailored to the proposal (see Attachment 3). These conditions include a valley curb and elimination of the landscape strip requirement.
- (4) KZC 110.70 states that the City may require or grant a modification to the nature or extent of any required improvement if:
 - (a) If the improvement as required would not match the existing improvements; or
 - (b) The City and a neighborhood have agreed upon a modified standard for a particular street.
- (5) The City and the neighborhood agreed to a modified roadway standard in 2004 that allows valley curb in place of the vertical curb. Additionally, Public Works has not required landscaped strips on 112th Ave because the street is too narrow to accommodate a dedication with all improvements
- b. <u>Conclusion</u>: The applicant should install the Public Works improvements described in Attachment 3.

3. Geologically Hazardous Areas

a. Facts:

- (1) Municipal Code Section 22.28.180 states that the applicant has the responsibility in proposing a plat to be sensitive with respect to the natural features, including topography, streams, lakes, wetlands, habitat, geologic features and vegetation, of the property. The plat must be designed to preserve and enhance as many of these valuable features as possible.
- Zoning Code regulations regarding geologically hazardous areas address slope stability, run-off, structural concerns, and liability issues. The Planning Department evaluates proposals located on hazardous slopes based on the criteria in KZC Chapter 85. The evaluation is based on a geotechnical report prepared by a qualified geotechnical engineer.
- (3) The City of Kirkland Geologically Hazardous Areas Map identifies a high landslide risk and medium liquefaction risk on the subject property (see Attachment 12).
- (4) The applicant has submitted a geotechnical report prepared by The Riley Group dated April 29, 2020 (see Attachment 13) which evaluates the mapped landslide hazards on the subject property

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- and provides recommendations for development relative to the site conditions.
- (5) The City's geotechnical consultant, Associated Earth Sciences, Inc. (AESI) has reviewed the applicant's geotechnical report and has provided a report dated (see Attachment 14). The document states that applicants report generally meets the requirements of KZC 85 if their recommendations are addressed.
- (6) The applicant submitted a supplemental document that incorporate the recommendations of AESI into the proposal (see Attachment 15). The City's consultant determined that their recommendations had been incorporated into the project (see Attachment 16).
- b. <u>Conclusions</u>: As part of the building and/or LSM permit(s), the applicant should:
 - (1) Incorporate the recommendations of the geotechnical report prepared by The Riley Group dated April 29, 2020, and supplemental memo (see Attachments 13 and 15).
 - (2) Follow the standard conditions regarding geologically hazardous areas as described in Attachment 3.

4. Retaining Walls and Fences

a. Facts:

- (1) Zoning Code Section 115.115.3.g states that rockeries and retaining walls may be a maximum of 4' high within in a required yard. In addition, the combined height of fences and retaining walls within 5' of each other in a required yard may be a maximum of 6'.
- The proposal includes the following deviations from maximum allowed height for walls/rockeries, fences, and combinations thereof:
 - (a) Northern Common Open Space: Retaining walls up to 6' in height within the 10' side yard setback. Guardrails (36") will be included for safety. The applicant also plans to build a privacy fence along the property boundary. The aforementioned will bring the combined height of fences and walls to 9' max.
 - (b) Southern Common Open Space: Retaining walls up to 5' in height within the 10' side yard setback. Guardrails (36") will be included for safety. The applicant also plans to build a privacy fence along the property boundary. The aforementioned will bring the combined height of fences and walls to 8' max.
 - (c) <u>Detention Vault</u>: A partially exposed detention vault along the western property line. The exposed wall has a maximum height of 6.5' within the 10' rear yard setback. Guardrails (36") will be included for safety. The aforementioned will bring the combined height of fences and walls to 9.5' max.

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- (3) The applicant submitted a letter requesting a modification to both the maximum height of retaining walls and combined height of fences and retaining walls with required yards (see Attachment 17).
- (4) KZC 115.115.3.g.1 states the Planning Official may approve a modification to the maximum height limit of retaining walls within required yards if it is necessary because of the size, configuration, topography or location of the subject property, and either:
 - (a) The design of the rockery or retaining wall includes terraces deep enough to incorporate vegetation, or other techniques that reduce the visual mass of the wall; or
 - (b) The modification will not have any substantial detrimental effect on abutting properties or the City as a whole.
- (5) KZC 115.115.3.g.1 states the Planning Official may approve a modification to the combined height limit for fences and retaining walls if:
 - (a) An open guard railing is required by the Building Code and the height of the guard railing does not exceed the minimum required; or
 - (b) The modification is necessary because of the size, configuration, topography or location of the subject property, and either:
 - The design of the rockery or retaining wall includes terraces deep enough to incorporate vegetation or other techniques that reduce the visual mass of the wall, and the fence is designed to be no more than 50 percent solid; or
 - The modification will not have any substantial detrimental effect on abutting properties or the City as a whole.
- (6) The open space walls are necessary to meet the requirement that open space be centrally located and usable. The central part of the subject property corresponds with a steep slope on site. The walls are used to allow a flatter grade in this area so that it is safe and accessible for residents. The walls along the northern open space are generally at the same or lower elevation than the adjacent neighbor. Therefore, only the privacy fence will be perceptible to the neighbor, and the full combined height of these structures are only visible from within the subject property.

The wall along the southern open space helps accommodate the required covered porch for Unit 7 and protect an offsite tree. Save for one 3' section of wall that will be 8' with a safety guardrail (see information on guardrail requirements below), most of the nonconforming wall and fence will be screened by the privacy fence. Where the fence and wall are stacked, the fence will be adjusted so that the combined height does not exceed 6'. Additionally, the 3' section that will be 8' tall is set back approximately 8' from the property line, and, given the steep slope in this area, the wall and the fence will only be visible from the upland portion of the neighbor's property. Views will not be

impacted.

The detention vault is proposed in the only feasible location at the lowest elevation on site. The exposed vault walls exceed 4' to remedy constraints associated with the downstream storm connection and maximum slope of the private access road as allowed per COK's roadway plan notes. The exposed wall will be visible by the neighbor to the west. However, the subject property is uphill from the neighboring lot. Additionally, the wall will be screened with vegetation. None of the taller fences/walls will be visible from the right-of-way.

- (7) Section R312.1 of the International Residential Code states that guards shall be located along open-sided walking surfaces that are located more than 30" measured vertically to the floor or grade below at any point within 36" to the edge of the open side. A privacy fence on the property line adjacent to the northern common open space will appear at grade to neighbors. The privacy fence on along the southern open space can be adjusted where it overlaps walls keep the combined height at 6'. Landscaping is proposed between the vault wall and property to screen the wall from neighbors.
- b. <u>Conclusions</u>: The proposal meets the criteria to modify the maximum height of walls/rockeries, fences, and combinations thereof for. As part of the building and/or LSM permit(s), the applicant should show plans for privacy fences along the north and south property line.

5. Tree Retention

- a. Facts: Regulations regarding the retention of trees can be found in Chapter 95 of the Kirkland Zoning Code
 - (1) KZC Sections 95.30.3 and 5 require that a tree retention plan be reviewed at the zoning permit stage for cottage projects.
 - The applicant has submitted an arborist report and tree retention plan prepared by Creative Landscape Solutions dated February 14, 2022 (see Attachment 18).
 - (3) The City's Development Review Arborist has reviewed the arborist report and proposed plans and has designated each tree's retention value (see Attachment 3). Several requirements such as the turnaround and parking limit opportunities to retain on site trees without eliminating units from the proposal.
 - (4) The applicant proposes grading within the critical root zones of off-site trees. The applicant states that the trees will be unaffected if best practices are observed (see Attachment 18). Additionally, removal of shared trees (i.e., trees that straddle shared lot lines) is proposed.
 - (5) The Development Review Arborist has required tree risk assessments for all affected neighboring trees at each stage of development. If the trees are fatally impacted by development, the applicant is required inform the owner of the neighboring lot. These conditions are listed in Attachment 3.
 - (6) KZC 95 does not specifically address shared tree removal. However, RCW 64.12.030 indicates that trees removed without

the consent of the owner entitle said owner to damages. Additionally, Washington State case law has found that "A tree, standing directly upon the line between adjoining owners, so that the line passes through it, is the common property of both parties, whether marked or not; and trespass will lie if one cuts and destroys it without the consent of the other. Happy Bunch, 142 Wn. App. at 93."(see Happy Bunch v. Grandview North, 142 Wn. App. 81 (2007). Therefore, the proposed tree retention plan is approved under the condition that written permission from all owners should be obtained for the removal of shared trees.

- b. Conclusions: As part of the building and/or LSM permit(s), the applicant should:
 - (1) Submit a tree retention plan (Major) that is consistent with attachment 18.
 - (2) Submit tree risk assessments for affected offsite trees at each stage.
 - (3) Obtain and submit written permission for all owners to remove shared trees.
 - (4) Follow the additional tree retention conditions as described in Attachment 3.

F. COMPREHENSIVE PLAN

1. Facts:

- a. The subject property is located within the Central Houghton neighborhood. Figure CH-1 of the Comprehensive Plan designates the subject property for LDR 5 which is limited to five dwelling units per acre (see Attachment 19). The cottage development standards allow applicants to double the base density, which would allow 10 cottage units per acre. The applicant is proposing eight residential units on one 37,363 ft² lot, which is equivalent to 9.33 units per acre.
- b. Comprehensive Plan Policy LU-2.1 states that the City should support a range of development densities in Kirkland, recognizing environmental constraints and community character.
- c. Comprehensive Plan Policy LU-2.2 states that the City should facilitate infill development and encourage redevelopment of underutilized land.
- d. Comprehensive Plan Policy LU-2.3 states that the City should ensure an adequate supply of housing units and commercial floor space to meet the required growth targets.
- e. Comprehensive Plan Goal H-2 is to ensure that Kirkland has a sufficient quantity and variety of housing to meet projected growth and needs of the community.
- f. Comprehensive Plan Policy H-2.4 states that the City should allow a broad range of housing and site planning approaches in single-family areas to increase housing supply and choice, to reduce cost, and to ensure design quality and neighborhood compatibility
- g. Comprehensive Plan Policy CH-4.1 states that Allow a variety of development styles that provide housing choice in low-density areas in Central Houghton.

h. Comprehensive Plan Policy CH-4.2 states that Policy CH-4.2: Encourage diversity in size of dwelling units by preserving and/or promoting smaller homes on smaller lots in Central Houghton

<u>Conclusion</u>: The Comprehensive Plan is not a constraining factor in the review of this application. The above policies have been codified as cottage housing regulations in KZC Chapter 112. See Section D.1 for an analysis of these regulations.

G. DEVELOPMENT STANDARDS

- 1. <u>Fact</u>: Additional comments and requirements placed on the project are found on the Development Standards, Attachment 3.
- 2. <u>Conclusion</u>: The applicant should follow the requirements set forth in Attachment 3.

III. SUBSEQUENT MODIFICATIONS

Modifications to the approval may be requested and reviewed pursuant to the applicable modification procedures and criteria in effect at the time of the requested modification.

IV. APPEALS AND JUDICIAL REVIEW

A. APPEALS

1. <u>Appeal to the Hearing Examiner</u>:

Section 145.60 of the Zoning Code allows the Planning Director's decision to be appealed by the applicant or any person who submitted written comments or information to the Planning Director. A party who signed a petition may not appeal unless such party also submitted independent written comments or information. The appeal must be in writing and must be delivered, along with any fees set by ordinance, to the Planning Department by 5:00 p.m., May 24, 2022, fourteen (14) calendar days following the postmarked date of distribution of the Director's decision.

B. JUDICIAL REVIEW

Section 145.110 of the Zoning Code allows the action of the City in granting or denying this zoning permit to be reviewed in King County Superior Court. The petition for review must be filed within 21 calendar days of the issuance of the final land use decision by the City.

V. LAPSE OF APPROVAL

Under KZC 145.115:

The applicant must begin construction or submit to the City a complete building permit application for the development activity, use of land or other actions approved under this chapter within five (5) years after the final approval of the City of Kirkland on the matter, or the decision becomes void; provided, however, that in the event judicial review is initiated per KZC 145.110, the running of the five (5) years is tolled for any period of time during which a court order in said judicial review proceeding prohibits the required development activity, use of land, or other actions.

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The applicant must substantially complete construction for the development activity, use of land, or other actions approved under this chapter and complete the applicable conditions listed on the notice of decision within nine (9) years after the final approval on the matter, or the decision becomes void.

VI. APPENDICES

Attachments 1 through 19 are attached.

- 1. Vicinity Map
- 2. Applicant Proposal
- 3. Development Standards
- 4. Survey
- 5. Public Comments
- 6. Transportation Engineer Memo
- 7. Preliminary Technical Information Report
- 8. Waste Management Letter
- 9. Open Space Photo Simulation
- 10. ROW Photo Simulation
- 11. Modified Roadway Standard Letter
- 12. Sensitive Areas Map
- 13. Geotechnical Report
- 14. AESI Geotechnical Peer Review Report
- 15. Applicant Response to Peer Review Recommendations
- 16. Peer Review Correspondence
- 17. Wall/Fence Modification Request Letter
- 18. Arborist Report
- 19. Figure CH-1 Central Houghton Land Use Map

VII. PARTIES OF RECORD

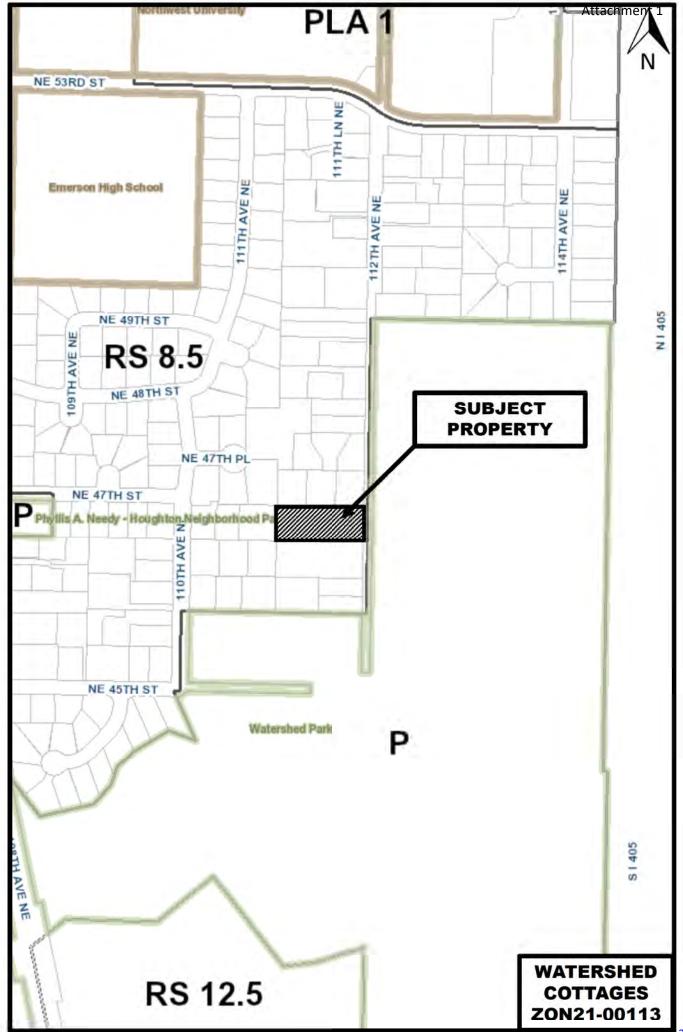
Review by Planning Director:

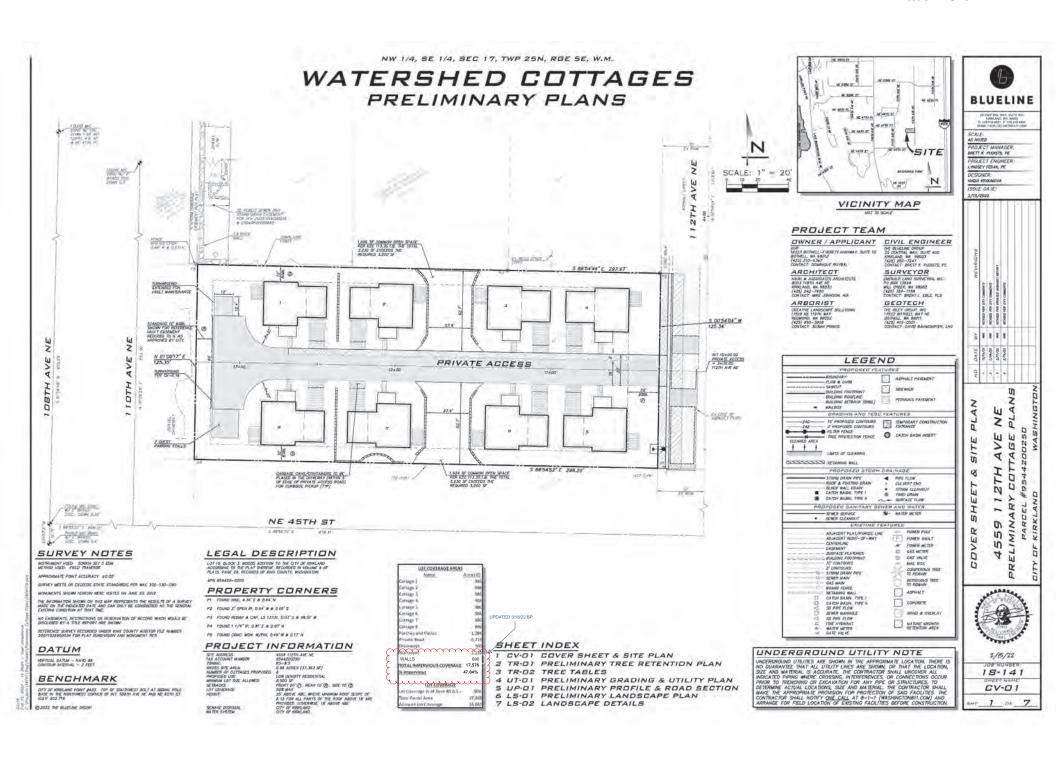
Applicant
Planning and Building Department
Department of Public Works
Party of Record List

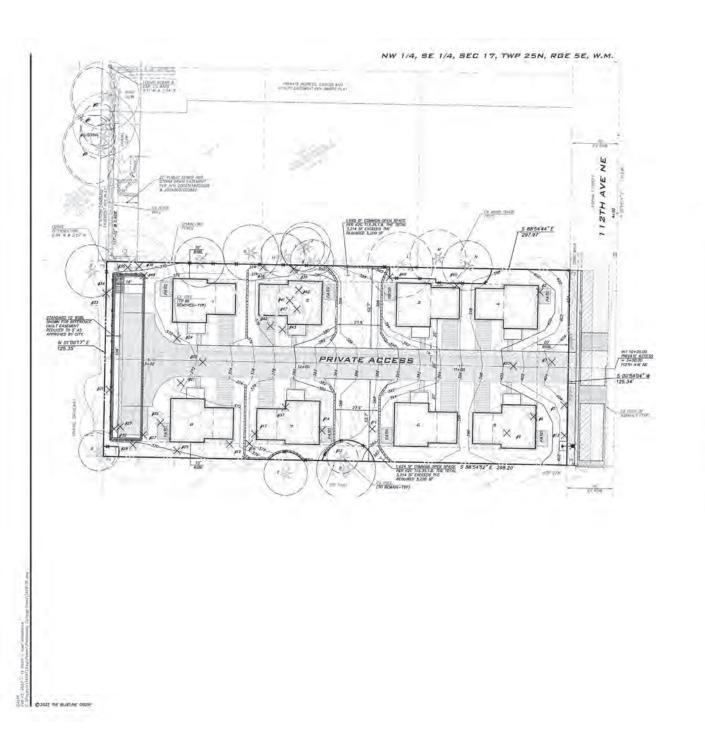
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Comments:					
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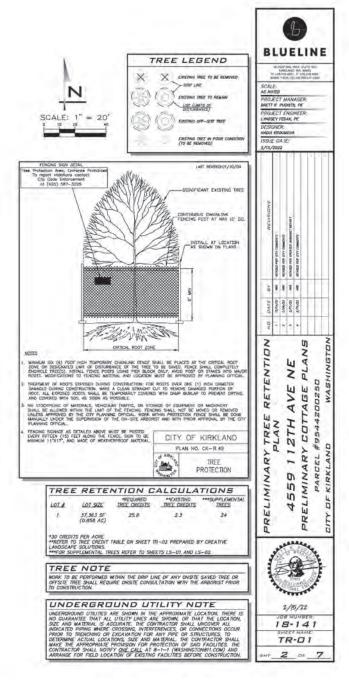
Adam Weinstein, Director

<u>May 5, 2022</u> Date









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	6	Disspers fer	я	9	в			FVE	Apromit bars, shedding bein, co-dominant section with froblook 544 of 6.7, senger, spootsector softers, conductor and fork and a conductor of the conductor of the conductor softers, conductor and fork and a conductor of the conductor of the conductor softers, conductor of the conductor of conductor of the conductor of conductor of		1	29	20	20	26	33		
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17	3.	Dougles for	46	ч	ü	9	800-	Traylough as look, low high crown and o a 20%, thin canopy, days wood, brown particles, calcalant take, a 2 throat some Colombard saters with		î	1.6	16	10	14'
42	"	Western red today	:45	45	26-		/OK	included park of 10 mail: brown, thin callings, triscal of species	3		16	űě.	1h	11

Tree Density Carculations							
Total number of emale trees	36						
Total number of non-ytable tress	- 4						
Total oumber of viating trees	- 30						
Total number of trees retroved for site improvements	- 25						
Total number of tree credits	474						
Total number of viable bee creds	365						
Total number of required tree credits (.86 * 36)	- 26						
Total number of retained tree credits							
Tree magazon (26-3)							

SCALE:
AS NOTES
AS NOTES
AS NOTES
PROJECT MANAGER:
PROJECT ENGINER:
LYMOSTY FEMAL RE
DESIGNER:
MADA PROJECT ENGINERE:
LYMOSTY FEMAL RE
DESIGNER:
MADA PROJECT ENGINERE:
2/15/2022 4559 112TH AVE NE PRELIMINARY COTTAGE PLAI PARCEL#9544200250

BLUELINE

2/15/22

TREE

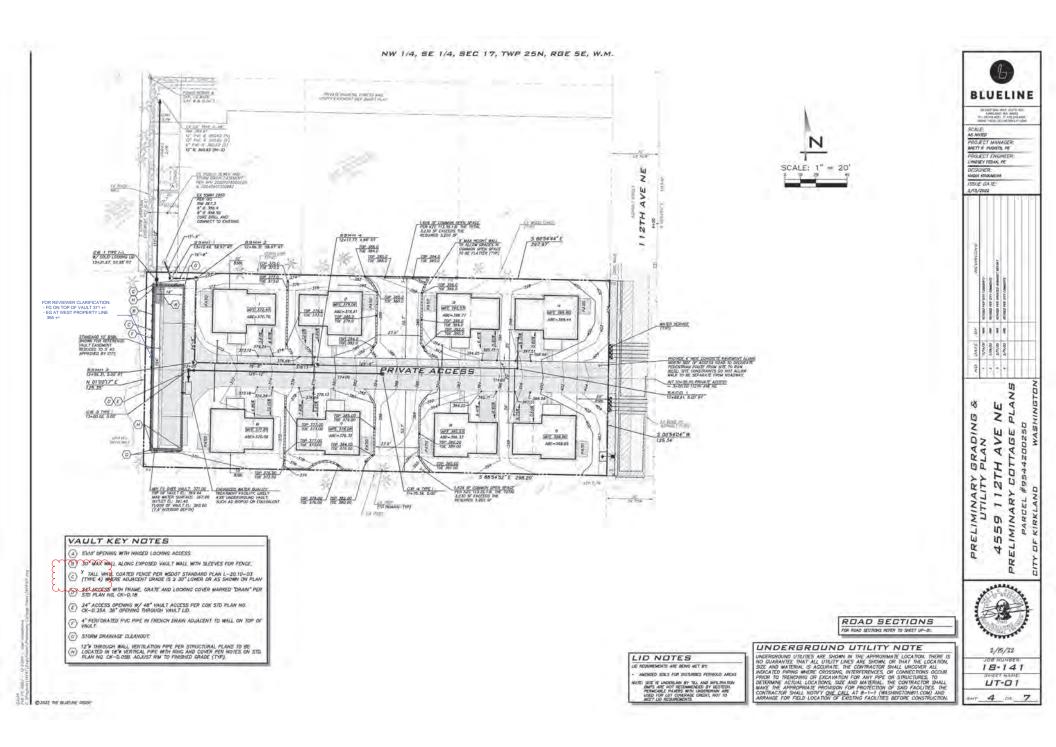
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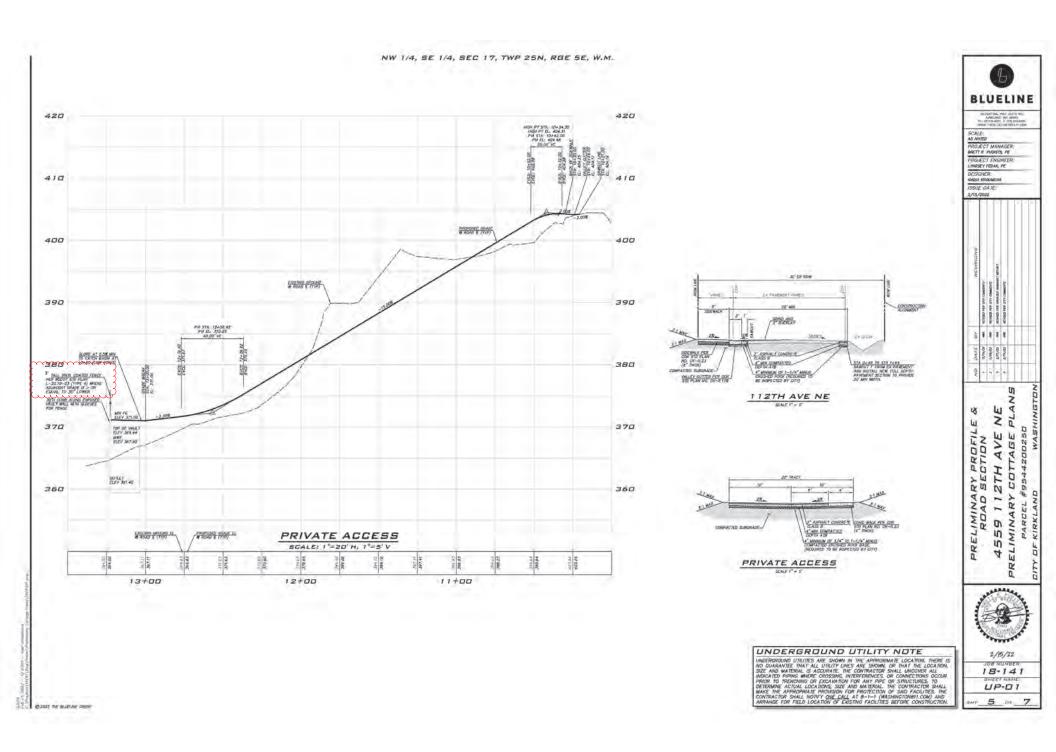
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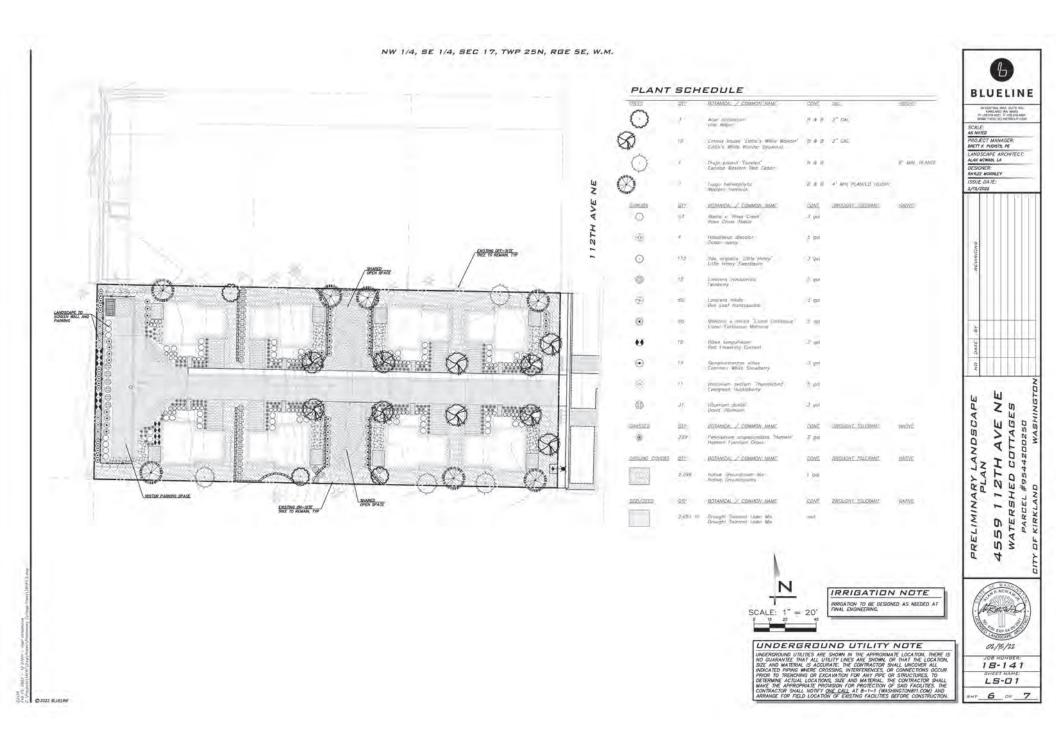
UNDERGROUND UTILITY NOTE

UNDERGRADINO UTILIES ARE SHOWN IN THE APPROXIMATE LOCATION, THERE IS NO QUARANTEE THAT ALL UTILITY LINES ARE SHOWN, OR THAT THE LOCATION, SEZE AND MATERIAL IS ACCURATE. THE CONTRACTOR SHALL LINCOPER ALL HIDICATED PHYSIC WHERE CROSSING, INTERFERENCES, OR COMMEDITIONS OCCUR PRIOR TO TREASURE OF THE CONTRACTOR SHALL LINCOPER ALL MATERIAL THE CONTRACTOR SHALL MAKE THE APPROPRIATE PROFOSOM OF DEPARTMENT OF THE CONTRACTOR SHALL MAKE THE APPROPRIATE PROFOSOM OF DIP PROFESSION OF SHALL MOTHES THE CONTRACTOR SHALL MOTHES OF THE TREASURE OF THE PLANT OF

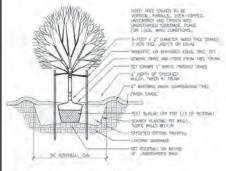
DOZOZZ THE MUNICIPAL CHOICE







NW 1/4, SE 1/4, SEC 17, TWP 25N, RGE 5E, W.M.

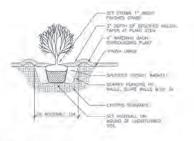


SEL COMMIT I'S MOVE THOSES SHALL OF TITLE

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SOUND THAT AND COST JAN HIN SOUND IT TITLE

SOUND THAT SHALL SH



GROUNDCOVER PLANTING

(H) (H) (H) (H)

1 DECIDUOUS TREE PLANTING

EVERGREEN TREE PLANTING

3 SHRUB PLANTING

GENERAL NOTES:

- UNDSCAPE CONTRACTOR SHALL VERFY LOCATION OF ALL SITE UTILITIES PRORTO LANDSCAPE IMPLEMENTATION. PLANT LOCATIONS WAY BE ADJUSTED TO AVOID CONTLICT.
- LANDSCRIPE CONTRACTOR SHALL TAKE NECSSSAIRY PRIEDAL/RIDAS TO PROTECT EXISTING BITE diffeomorphisms from the walls, and uncertainfound utilities, database shall be retrained TO the OWNER'S SATISFACTION AND ATT NO ADDITIONAL COST.
- I PLANT COUNT IS FOR THE CONTRACTOR'S CONVENIENCE, IF THERE IS A DISCREPANCY THE PLAN SHALL DOVERN. ACTUAL PLANT BUANTITIES TO BE DETERMINED BY REQUIRED PLANT SWOW.

TURBON USPRIL AND TWY AS SPECIAL

of May Stor, BOUGATH TOAHT, THE

GROUNDSONER FUNCT SPACING -

- SUBSTITUTION OF PLANT VARIETIES DUE TO LACK OF AVAILABILITY SUBJECT TO APPROVAL BY THE LANDSCAPE ANORITIEST.
- FINISH GRADE OF MILICHED LANDSCAPE AREAS SHALL BE GRACED TO 10" MAX. BELCW CONCRETE OR OTHER PAYED SURFACES.
- & ALL PLANTING AREAS SHALL BE BRIGATED WITH AN AUTOMATIC PRIGATION SYSTEM.
- ALL LANDSCAPE AREAS ARE TO BE MAINTAINED BY A LICENSED PROFESSIONAL LANDSCAPE MAINTENANCE COMMANY.
- ALL PLANT MATERIALS SHALL BE GUARANTEED FOR ONE YEARMINIMER FROM SURSTANTIAL COMPLETION TO INCLUDE ONE FULL GROWING SEASON (TRIPOUCH SEPT. 20).
- 9. ALL AREAS CEPT LAPITLATTED SHALL BE DRESSED WITH 3" DETTH MICCH. BARK MACH SHALL BE MEDIAL MACH WACCH CONSISTING OF DOCUMENT BY INVESTIGATION. AND IT SHALL BE MEDIAL MACH SHALL BE NO MIGHT SHALL BY PAPERSE AND A SERV. THE MACH SHALL DISHALL DISTORTION END, IT SHALL TANKING, OH ANY DIFFOR DELETED OLS MATERIAL. IN QUANTITIES THAT WOULD BE CETAMERTIAL. TO PLANT LETS.
- 10 IMPORT TOPSOR, FOR PLANTING BEDS SHALL CONSIST OF APPROX 33-974 COMPOST AND 20-904 GARAGE RANDY LOAM AND MEET THE POLICIMING SPECIFICATIONS OF AMOUNT ANTER (DRY WEIGHT) 15-20% CONDUCTIVITY (MARKSCA): -32

DH: 60.7.5
CBC >10 mig/10
US0A TEXTURE: SANDY UDA
WAC METALS: PASS.

CEDAR GROVE 3-WAY TOPSOIL IS AN APPROVED PRODUCT MEETING THIS SPEC.)

- FE PLANTING BEDS SHALL BECEIVE 12-INCH COMPACTED DEPTH (BNs COMPACT) IMPORT FOR SUIL.
 THIS TYNO-INCH LIFT SHALL BE THORIODICHEN MORED WITO EXISTING SUBSOIL TO A 4" MIN. OBTTH.
- IS FORTHANTING IN AREAS OF NATIVE SOIL AMEND SOIL FER APPLICABLE CITY CODES

UNDERGROUND UTILITY NOTE

UNDERGROUND UTLITES ARE SHOWN IN THE APPROXIMATE LOCATION, THERE IS SOLD AND THE APPROXIMATE LOCATION, THERE IS SOLD AND THE APPROXIMATE LOCATION, THERE IS SOLD AND MATERIAL IS ACCURATE. THE CONTRACTOR SHALL UNKNOWN ALL UNKNOWN ALL UNKNOWN ALL UNKNOWN ALL UNKNOWN AND THE CONTRACTOR OF COMMENCES OF COMMENTIONS OF COURA PRICE TO TRANSPORT OF EXCHANDING FOR ANY PIPE OF STRUCTURES. TO TRANSPORT OF EXCHANDING FOR ANY PIPE OF STRUCTURES, THE CONTRACTOR SHALL HOTHER OF CONTRACTOR SHALL HOTHER SHALL H



4559 112TH AVE N WATERSHED COTTAGES

DETAIL

SCA

LAND



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DIRECTORY - COVER SHEET AI - NORTH/SOUTH ELEVATION A2 - EAST/MEST ELEVATION A3 - FOUNDATION PLAN-MAIN FLOOR PLAN A4 - UPPER FLOOR PLAN- ROOF PLAN A5 - SECTION -WSEC NOTES GSN - GENERAL STRUCTURAL NOTES SI.I - FOUNDATION PLAN S2.I - FLOOR FRAMING PLAN S2.2- ROOF FRAMING PLAN 52.3- ROOF FRAMING PLAN SD - ENGINEER'S DETAILS (3 SHEETS)

CONSULTANTS

ARCHITECT

NASH AND ASSOCIATES ARCHITECTS 8003 ||8th AVE NE KIRKLAND, WA 98033 PHONE: (425) 242-7490

STRUCTURAL ENGINEER FELTON GROUP 18325 N ALLIED WAY; SUITE 200 PHOENIX, AZ 85054 PHONE: (120) 638-6355

CODE INFORMATION

CONSTRUCTION TYPE: 59
OCCUPANCY, RS/LH
2016 INTERNATIONAL RESIDENTIAL CODE
FOR ORE AND TWO FAMILY DIVELLINGS
2016 INTERNATIONAL FIRE CODE
2016 UNFORM PLIMBING CODE
2016 UNFORM PLIMBING CODE
2016 WASHINGTON STATE ENERGY CODE
2016 INTERNATIONAL MECHANICAL CODE

- ALL MOOD EXPOSED TO MEATHER SHALL BE PRESSURE TREATED, PAINTED OR CEDAR.
- CAULK AND SEAL ALL WINDOW/DOOR AND EXTERIOR ENVELOPE PENETRATIONS.
- 3. GLAZING PER STATE ENERGY CODE.
- 4. PROTECTION FROM DECAY IS REQUIRED FOR ALL MOOD SIDING AND WALL FRAMING LESS THAN 2" ABOVE CONCRETE STEPS, PORCH SLABS, PATIO SLABS, AND SIMILAR HORIZONTAL SURFACES EXPOSED TO THE WEATHER.
- 5. REFER TO ALL ELEVATIONS FOR TYPICAL NOTES.
- 6. S.G. = SAFETY GLASS

FLASHING NOTE

I EXTERIOR MINDOM AND DOOR OPENINGS, FLASHING AT EXTERIOR MINDOM AND DOOR OPENINGS SHALL EXTEND TO THE EXPECTOR OF THE EXTERIOR MALL PINISH OR TO THE MATER RESISTIVE BARRIER FOR SUBSEQUENT DRAINAGE.

DRAINAGE

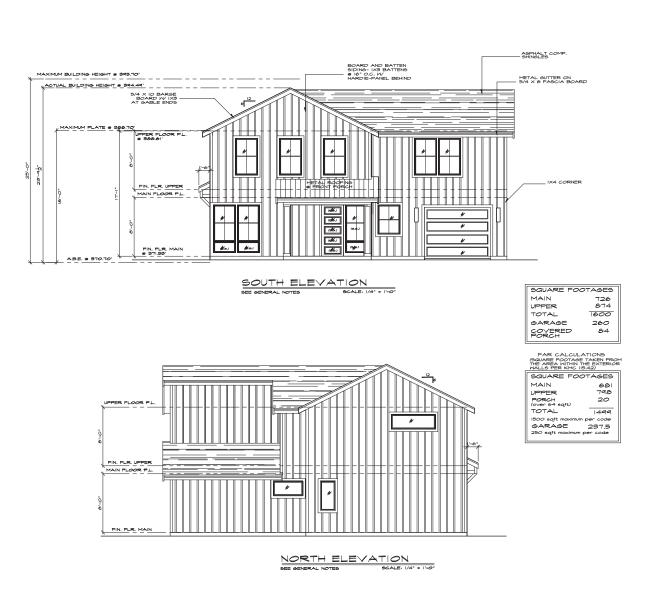
2. AT THE INTERSECTION OF CHIMNEYS OR OTHER MASONRY
CONSTRUCTION WITH FRANCE OR STUCCO WALLS

3. UNDER AND AT THE ENDS OF MASONRY, WOOD, OR
METAL COPINGS AND SILLS

4. CONTINUOUSLY ABOVE ALL PROJECTING WOOD TRIM 5. WHERE EXTERIOR PORCHES, DECKS, OR STAIRS ATTACH TO A WALL OR FLOOR ASSEMBLY OF WOOD FRAME CONSTRUCTION

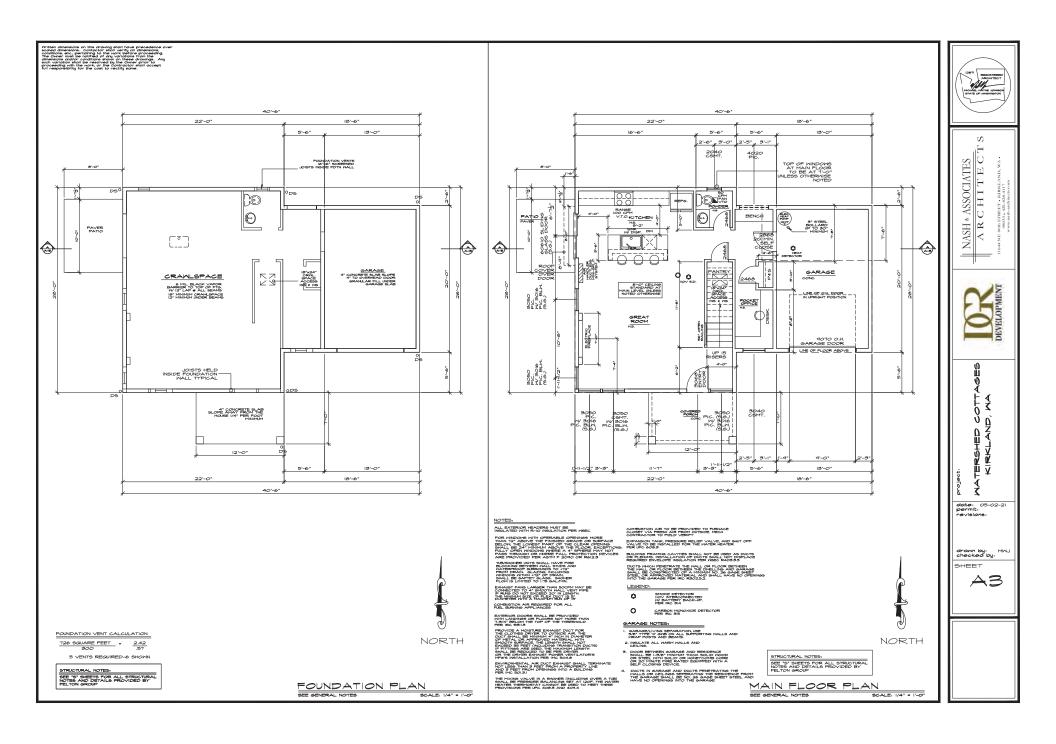
6. AT WALL AND ROOF INTERSECTIONS 7. AT BUILT IN GUTTERS

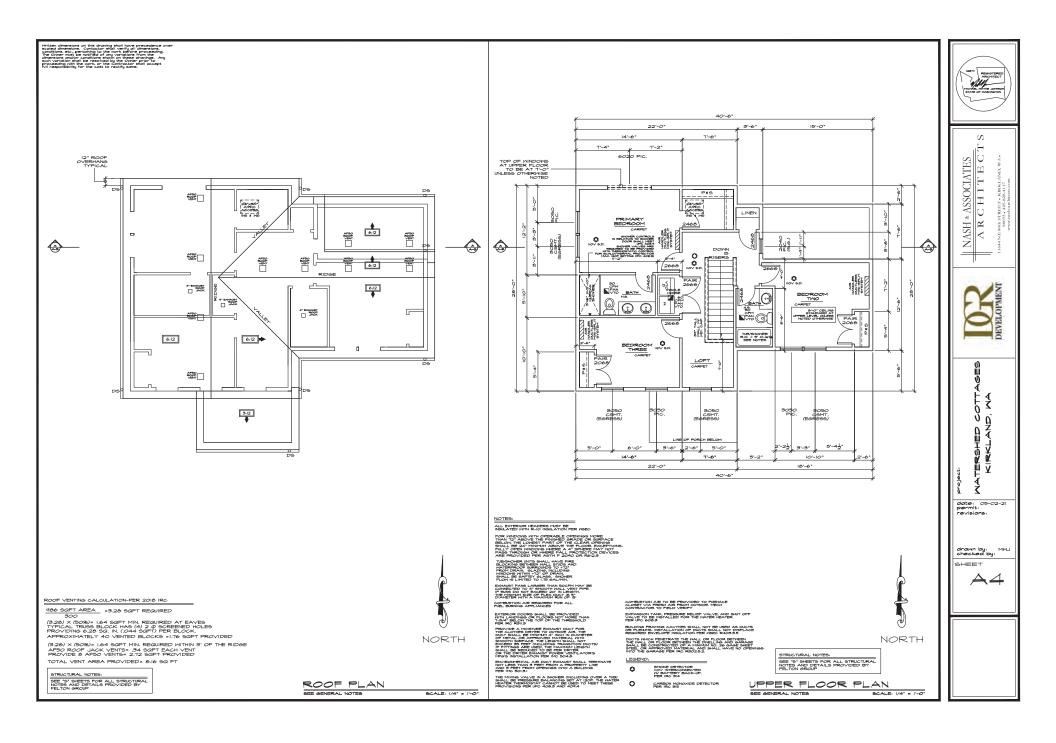
ADDRESS NOTE: ADDRESS NUMBERS SHALL BE A MINIMUM 4" HIGH WITH A MINIMUM STROKE WIDTH OF 1/2" AND TO BE ON A CONTRASTING BACKGROUND PER IRC 319.1

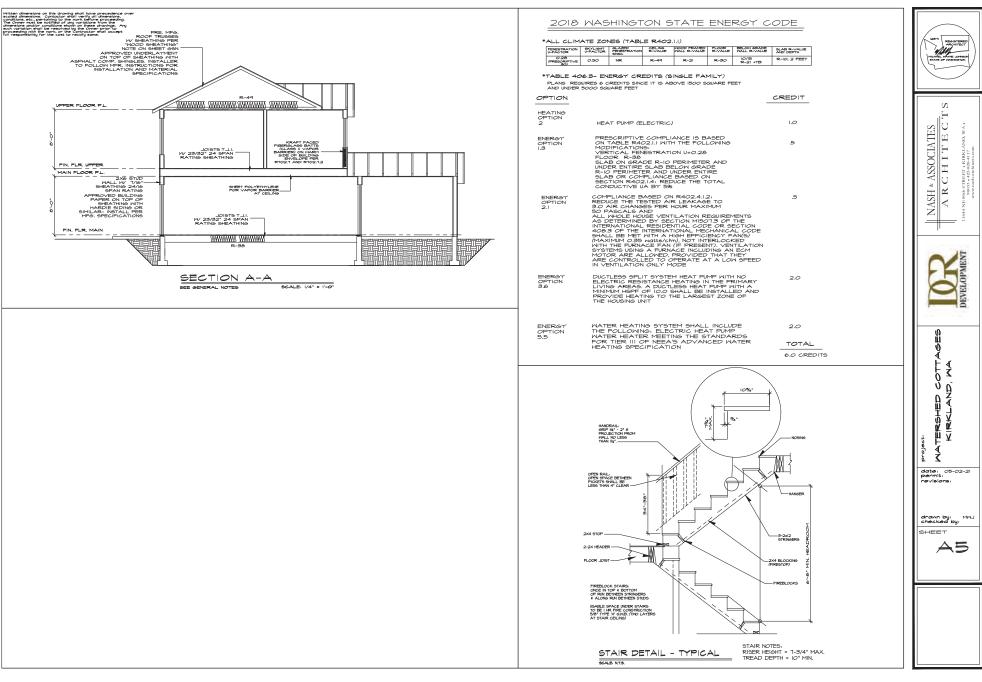
















CONSULTANTS

ARCHITECT

NASH AND ASSOCIATES ARCHITECTS

STRUCTURAL ENGINEER FELTON GROUP
18325 N ALLIED WAY; SUITE 200
PHOENIX, AZ 85054
PHONE: (120) 638-6355

CODE INFORMATION

CONSTRUCTION TYPE: 98
OCCUPANCY: RS/M-1
20/8 INTERNATIONAL RESIDENTIAL CODE
FOR ONE AND TWO FAMILY DIVELLINGS
20/8 INTERNATIONAL FIRE CODE
20/8 UNIFORM PLUMBING CODE
20/8 UNIFORM FOR STATE SERREY CODE
20/8 INTERNATIONAL MECHANICAL CODE

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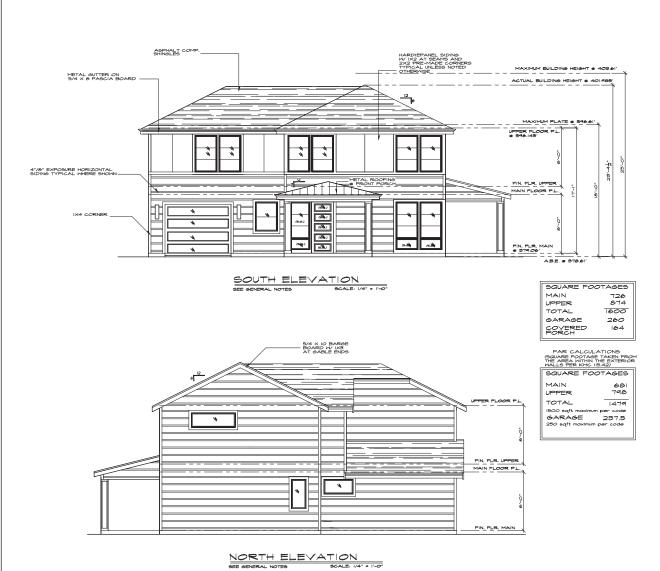
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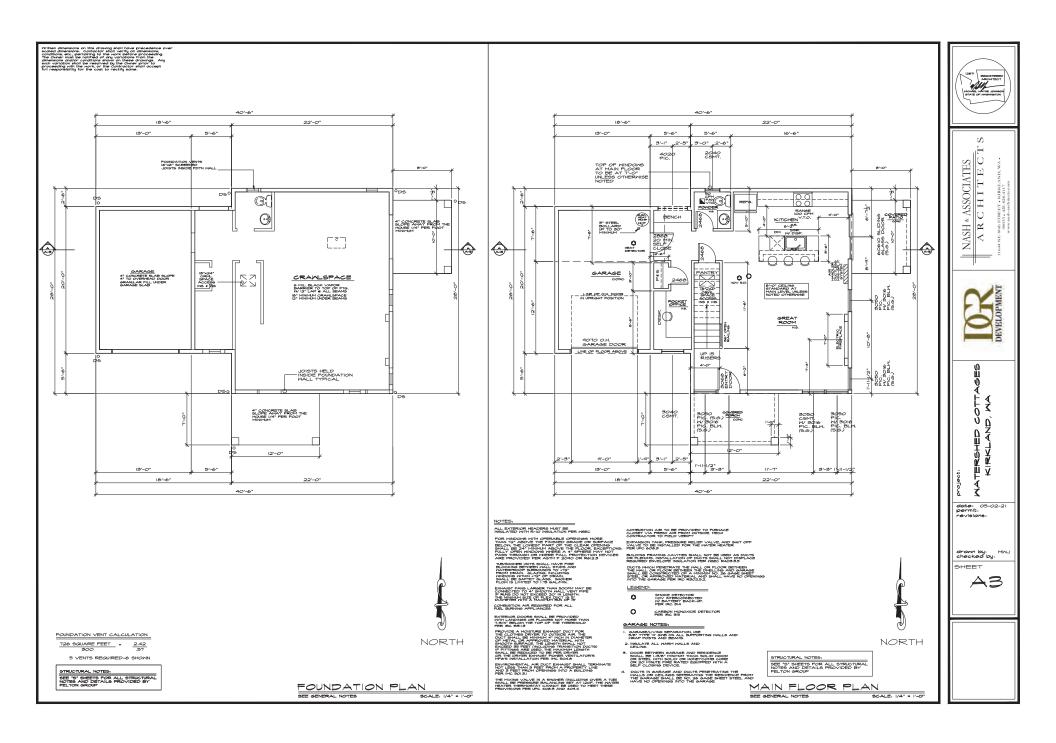
ADDRESS NOTE:

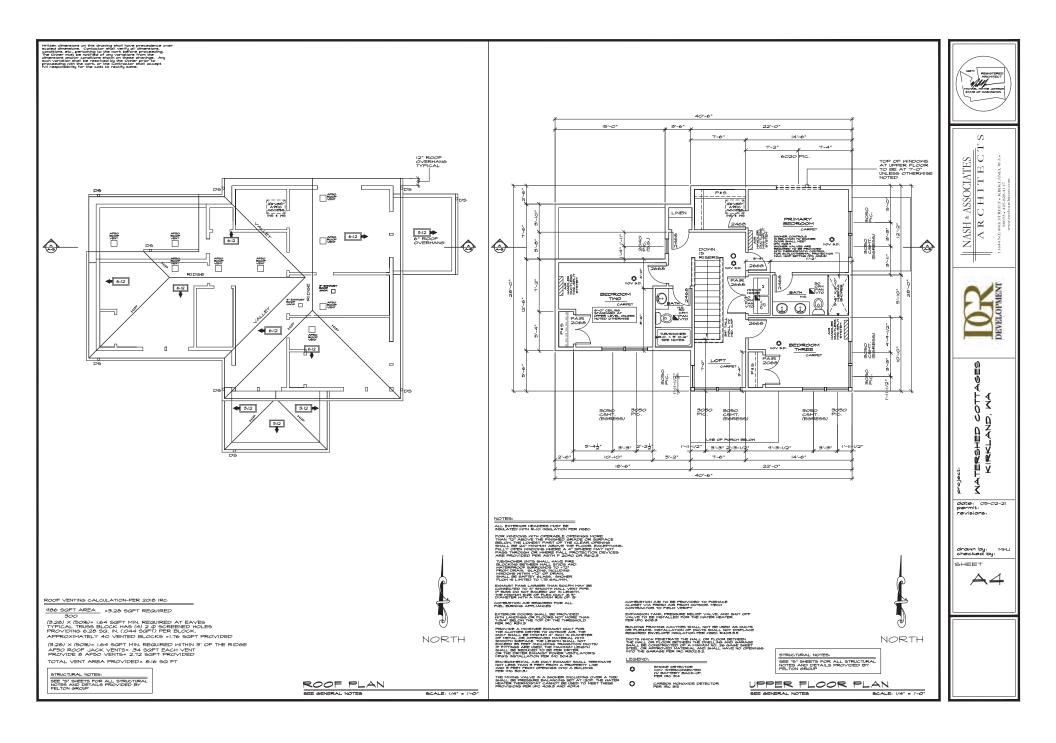
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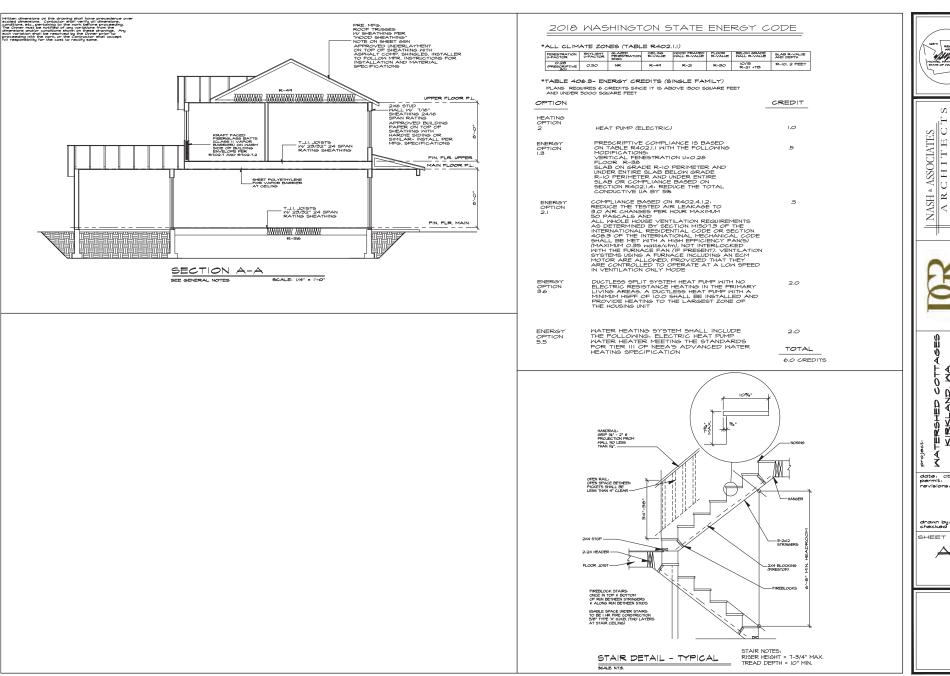














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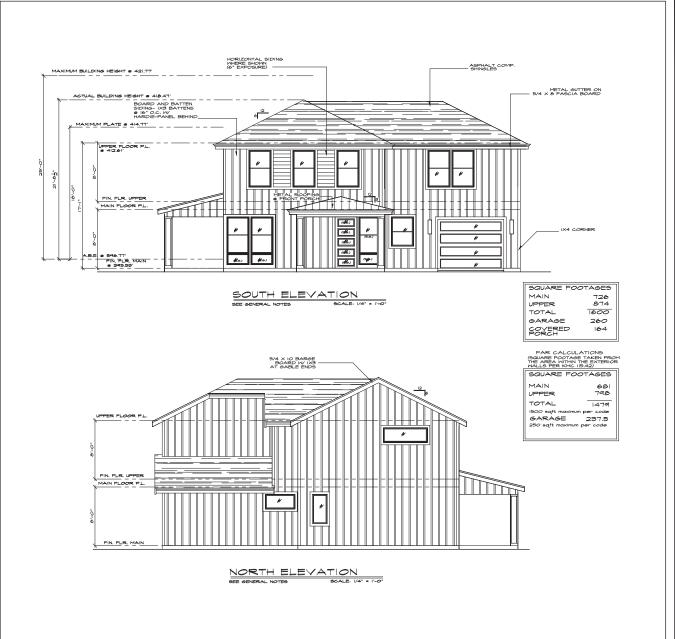
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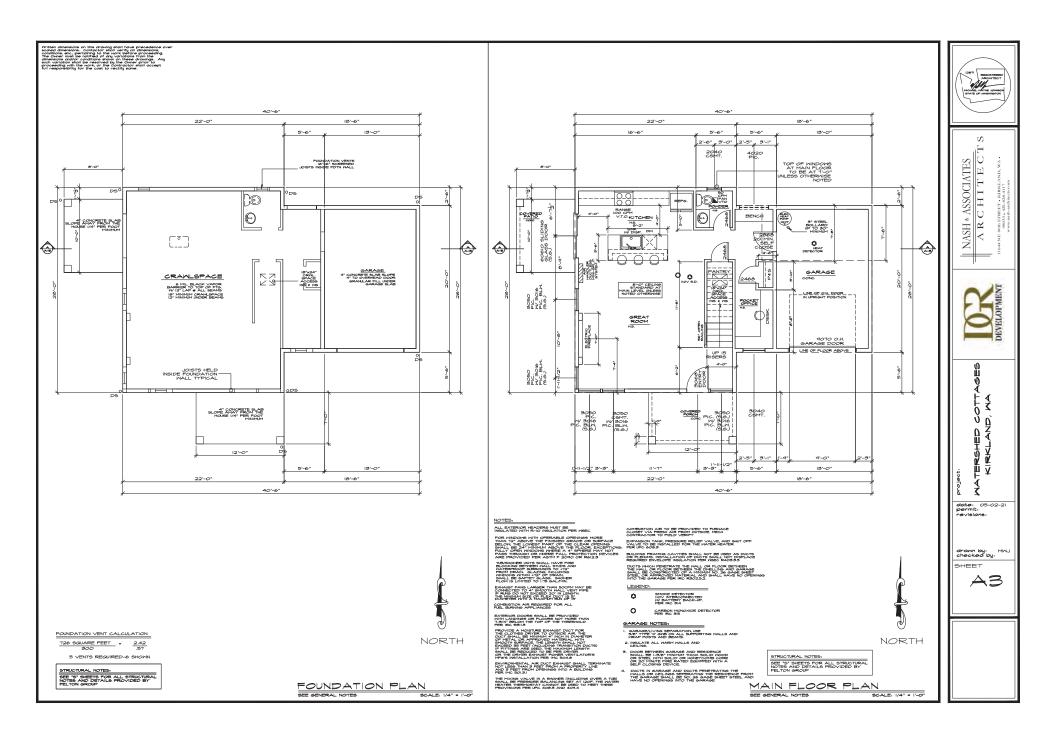
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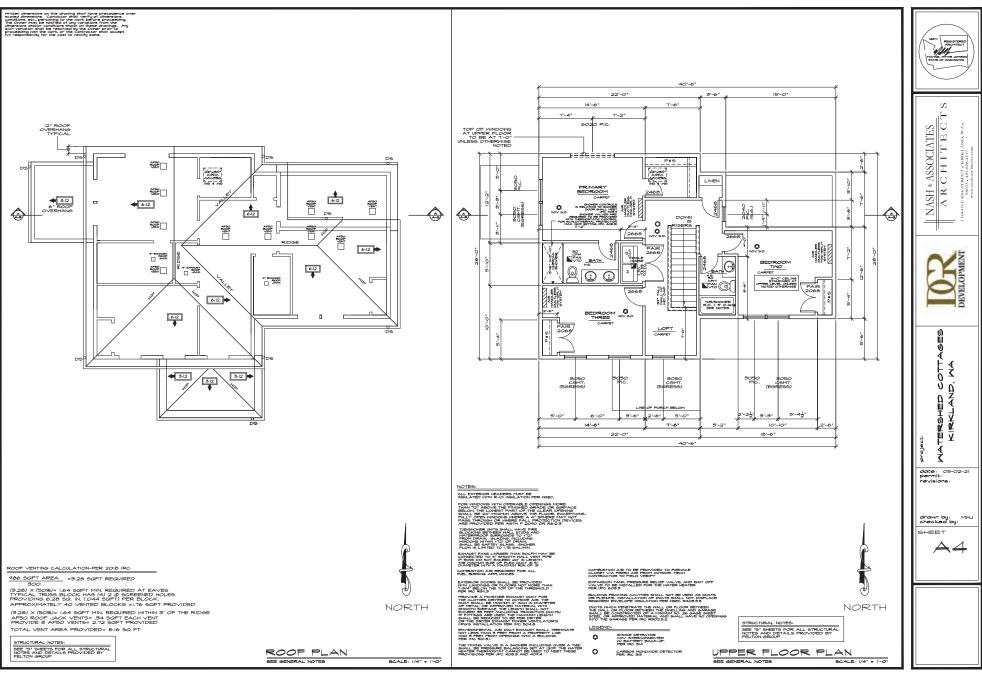
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ARCHITEC



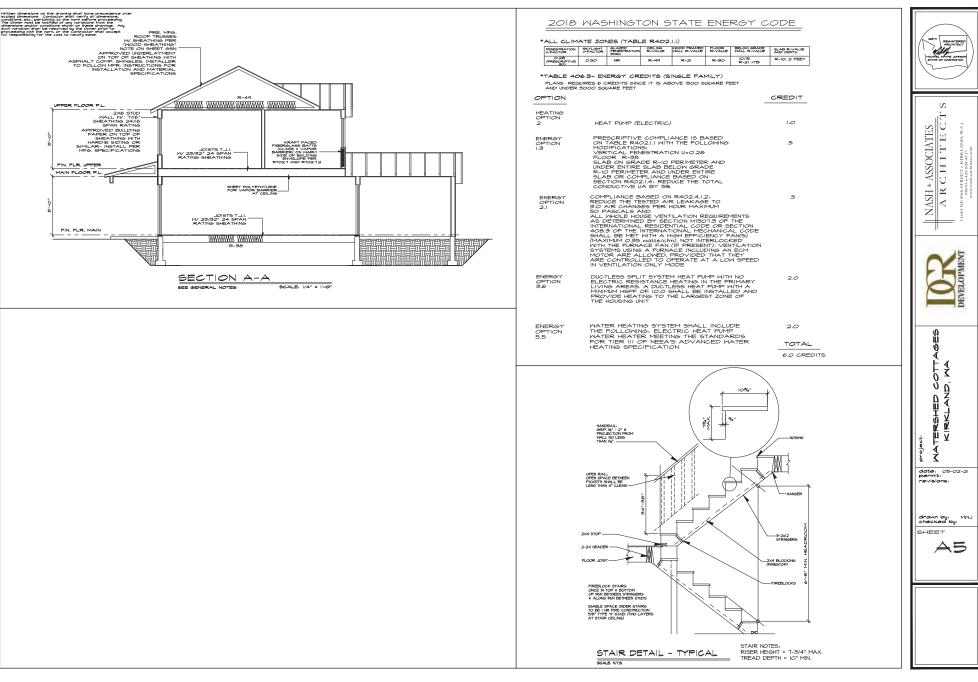
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CONSULTANTS

ARCHITECT

NASH AND ASSOCIATES ARCHITECTS

STRUCTURAL ENGINEER FELTON GROUP 18325 N ALLIED WAY; SUITE 200 PHOENIX, AZ 85054 PHONE: (120) 638-6355

CODE INFORMATION

CONSTRUCTION TYPE: 59
OCCUPANCY, RS/LH
2016 INTERNATIONAL RESIDENTIAL CODE
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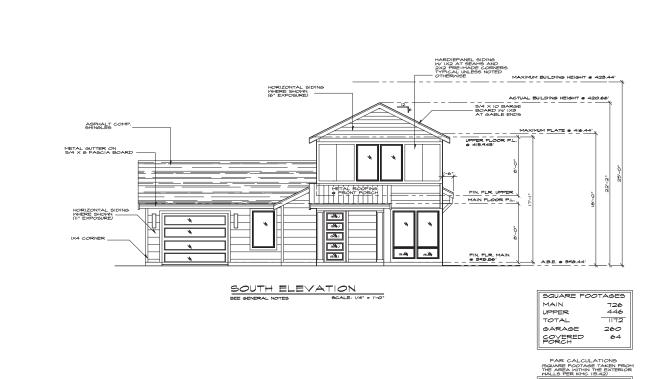
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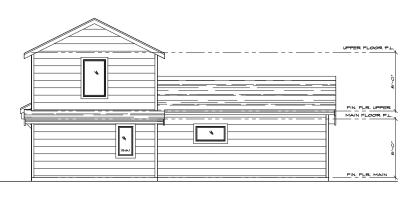
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NORTH ELEVATION SCALE: 1/4" = 1'-0"



drawn by: MWJ checked by:

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SQUARE FOOTAGES

1500 sqft maximum per code

250 saft maximum per code

681 404

1085

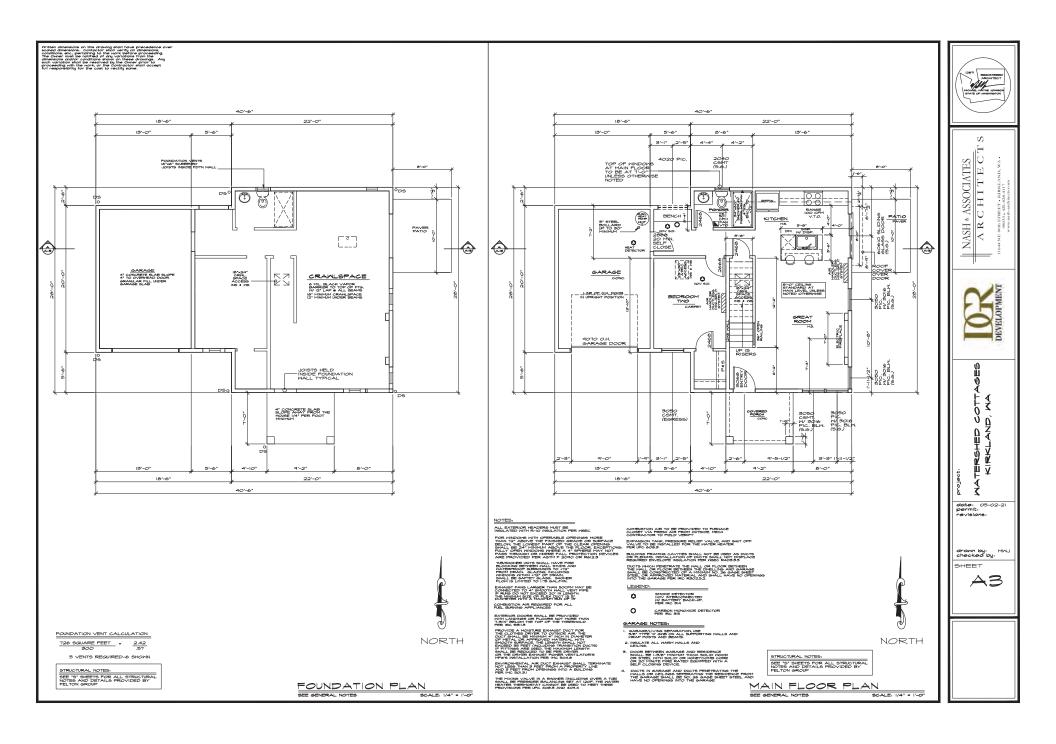
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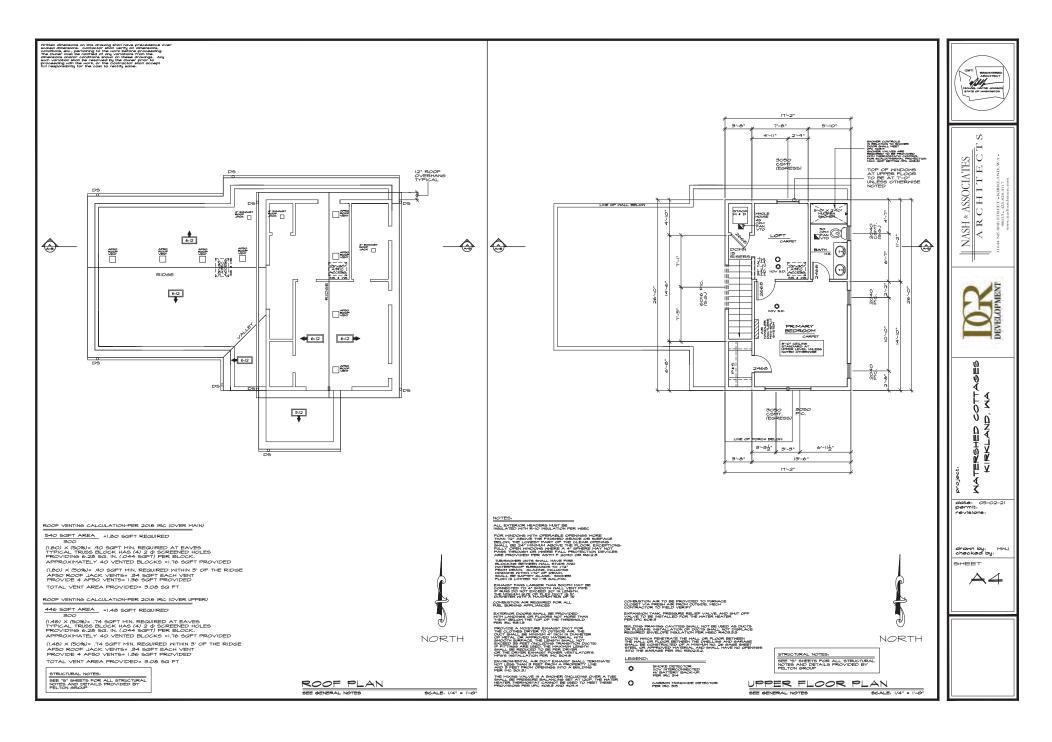
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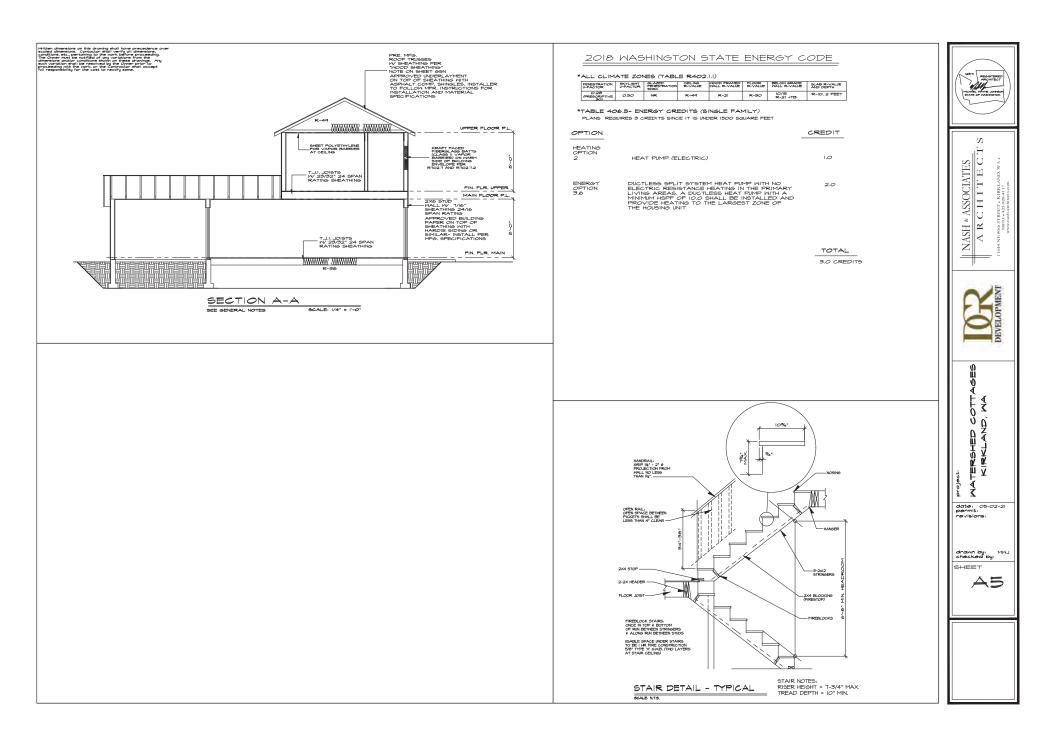
TOTAL

GARAGE









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CONSULTANTS

ARCHITECT

NASH AND ASSOCIATES ARCHITECTS 8003 ||8th AVE NE KIRKLAND, WA 98033 PHONE: (425) 242-7490

STRUCTURAL ENGINEER FELTON GROUP 18325 N ALLIED WAY; SUITE 200 PHOENIX, AZ 85054 PHONE: (120) 638-6355

CODE INFORMATION

CONSTRUCTION TYPE: 98
OCCUPANCY: RS/M-1
20/8 INTERNATIONAL RESIDENTIAL CODE
FOR ONE AND TWO FAMILY DIVELLINGS
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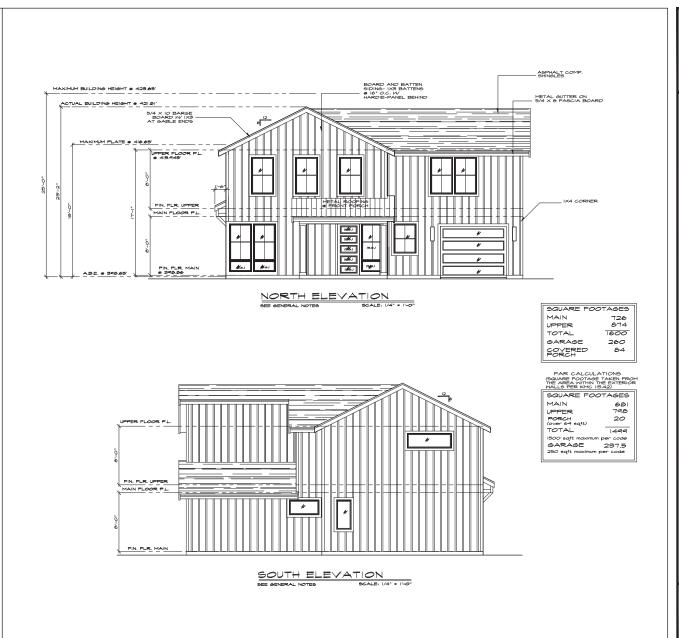
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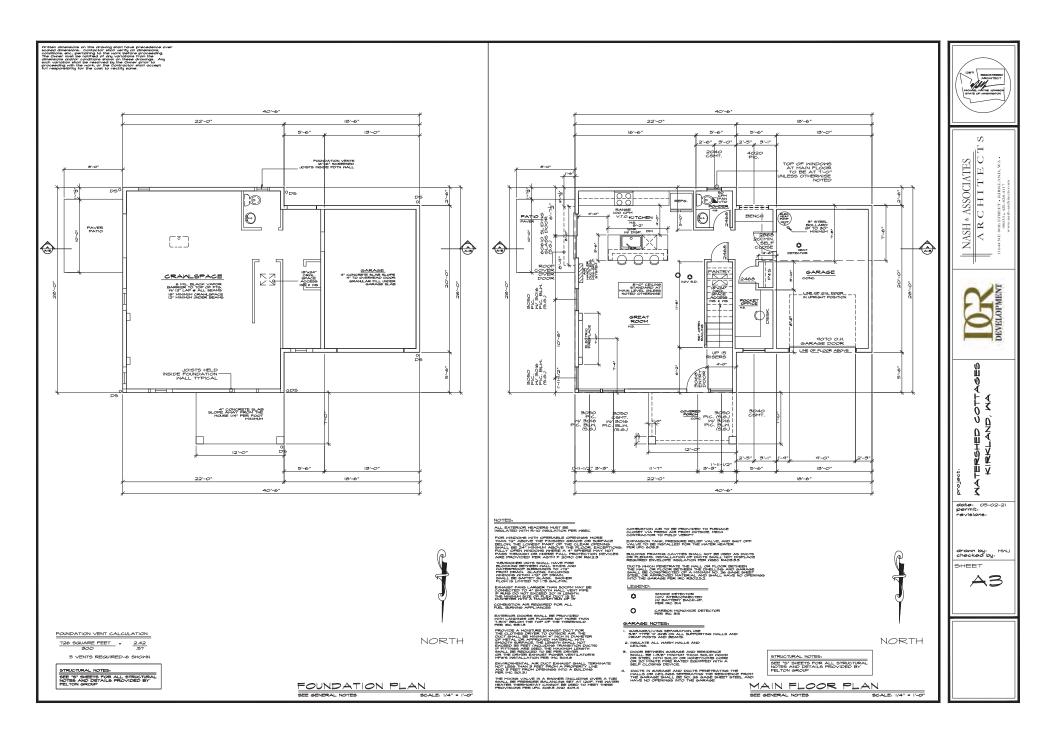
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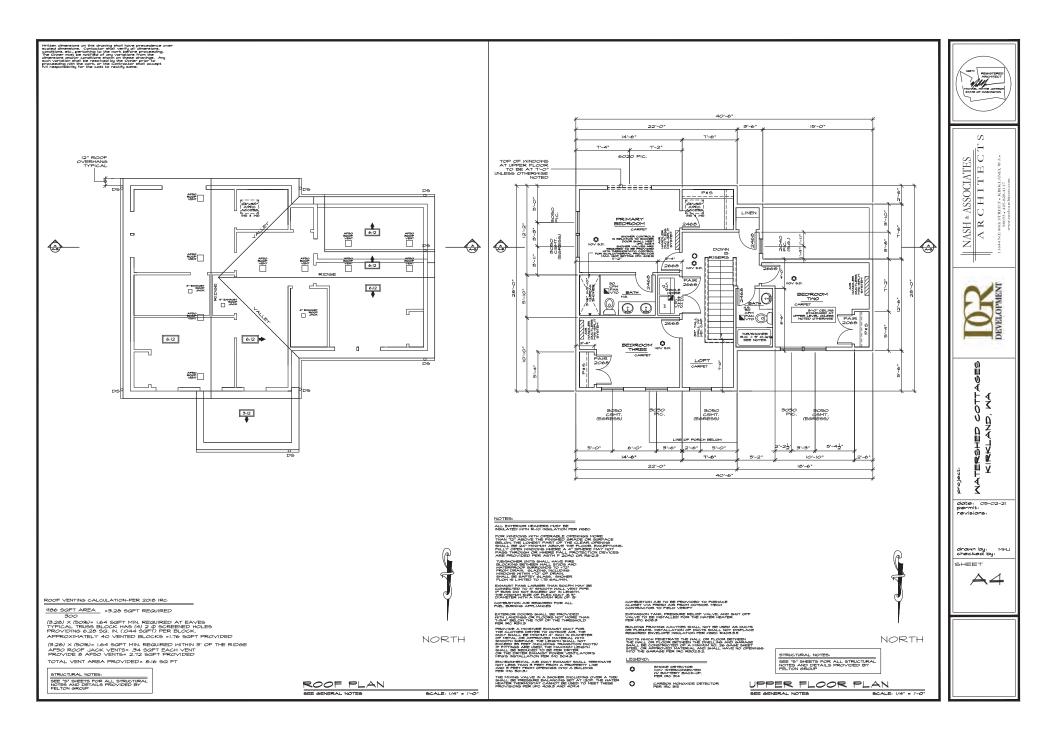
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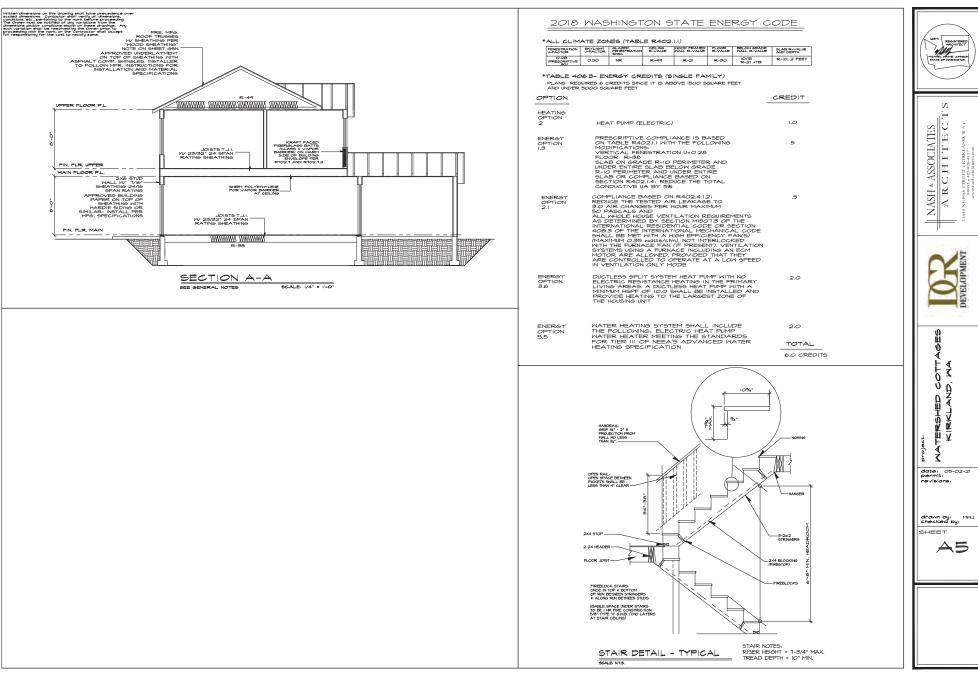














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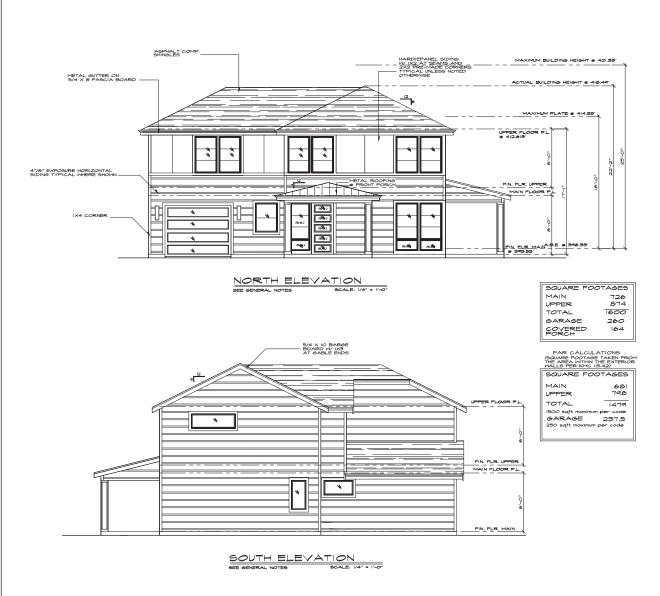
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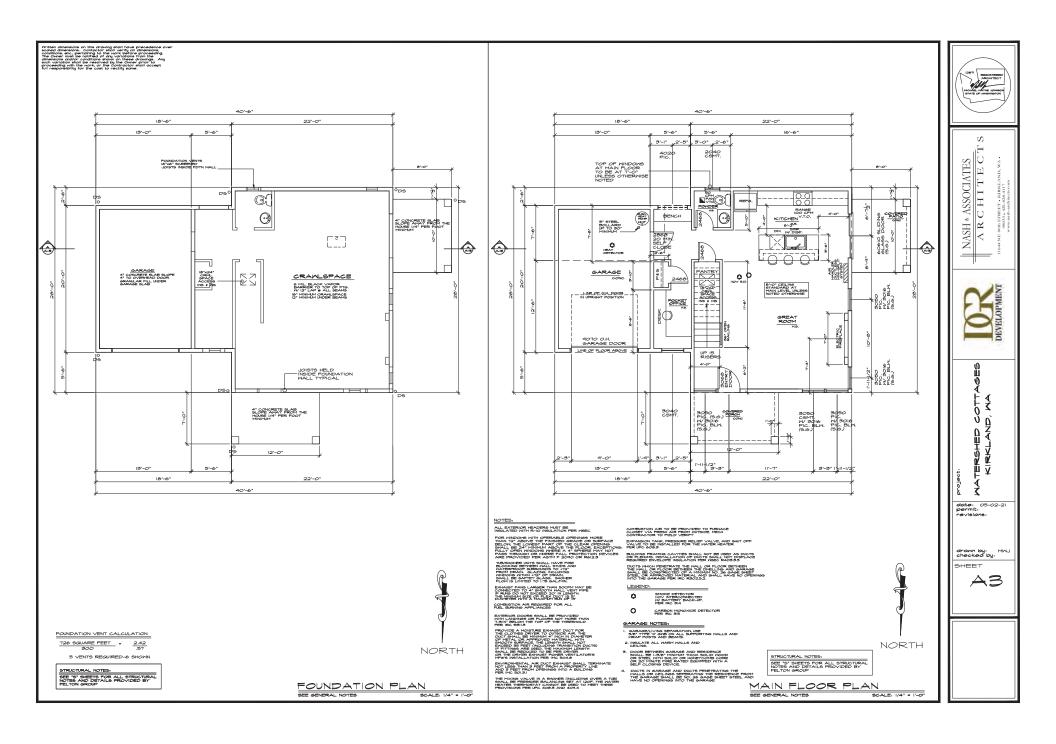
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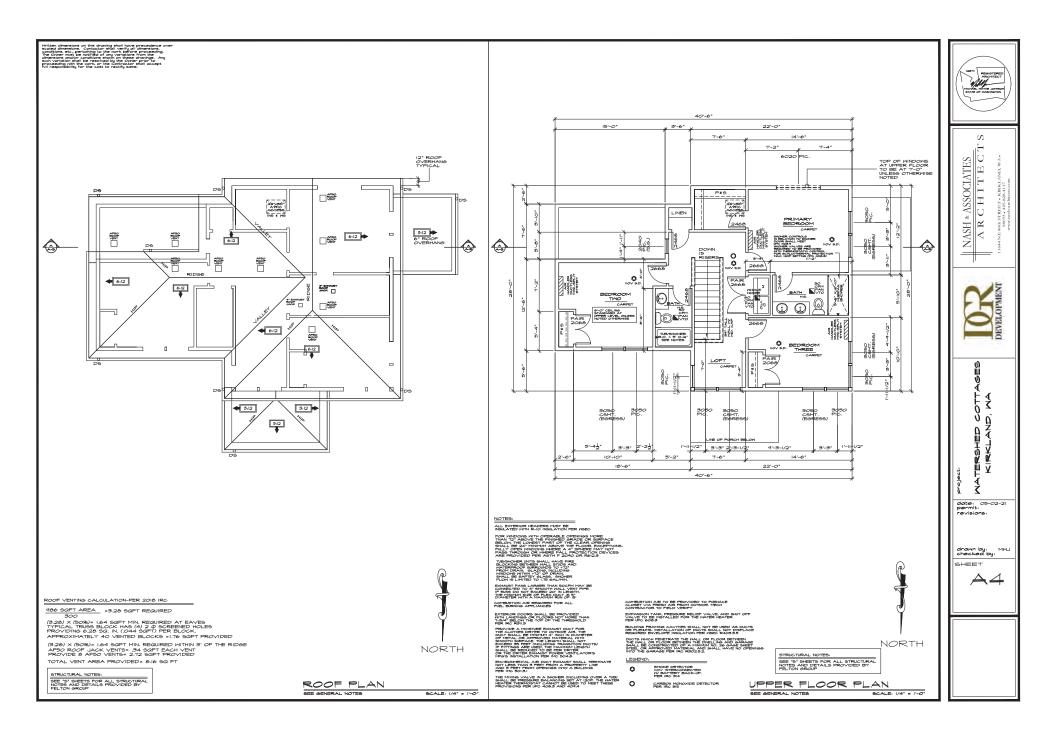


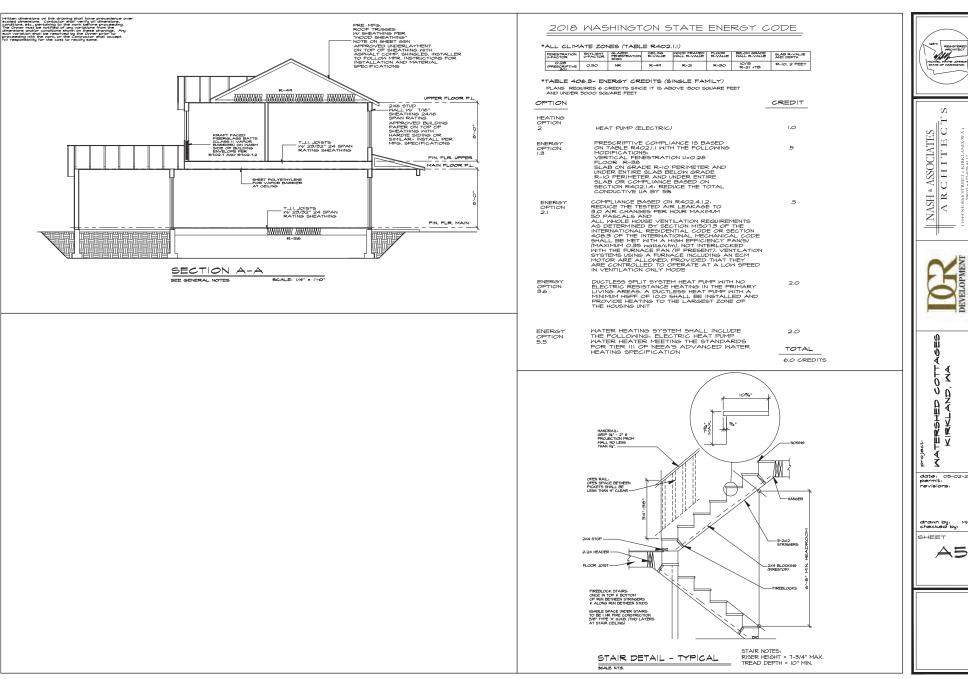














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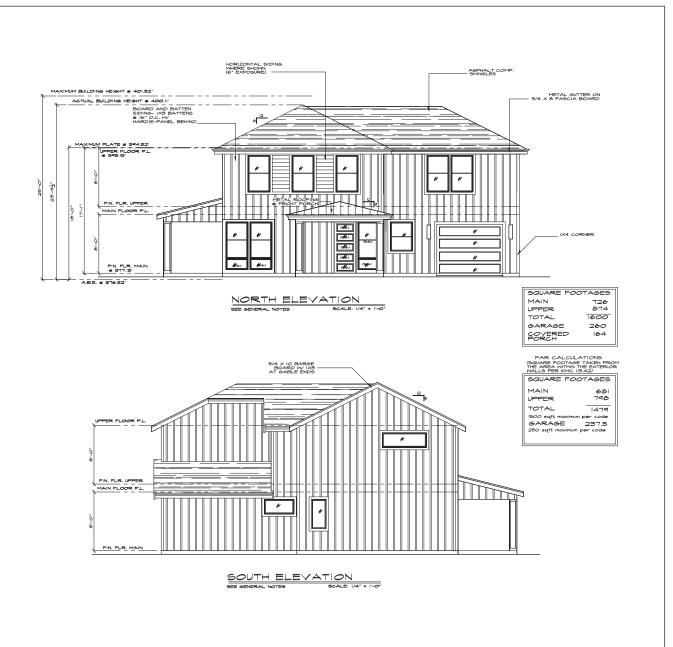
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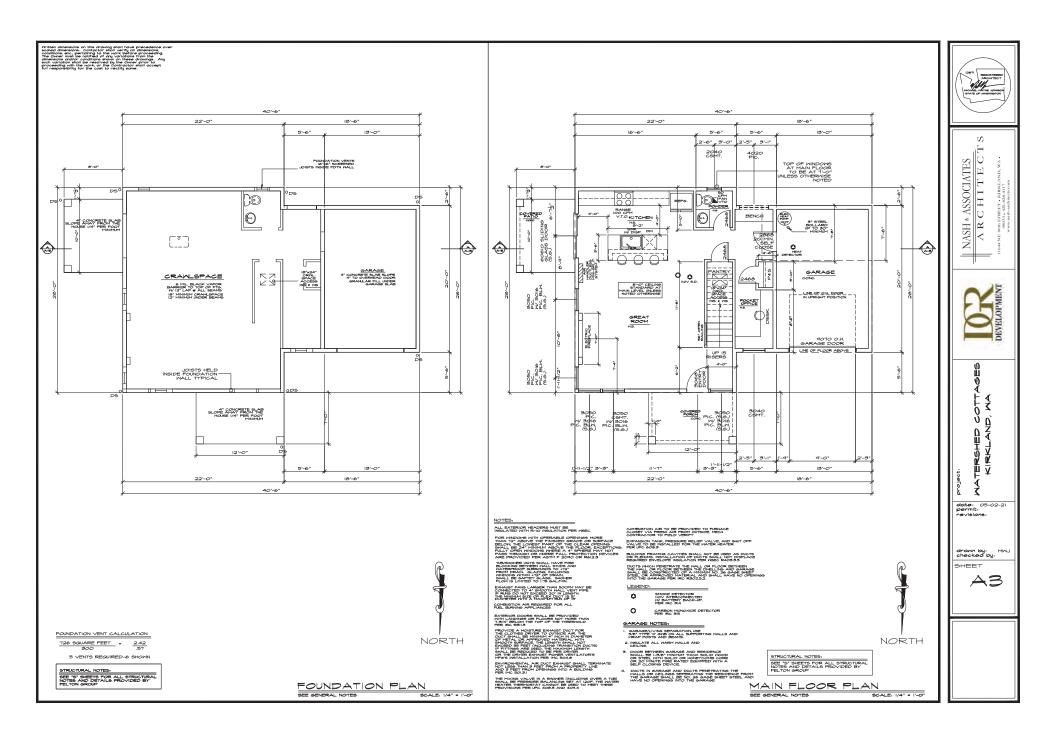
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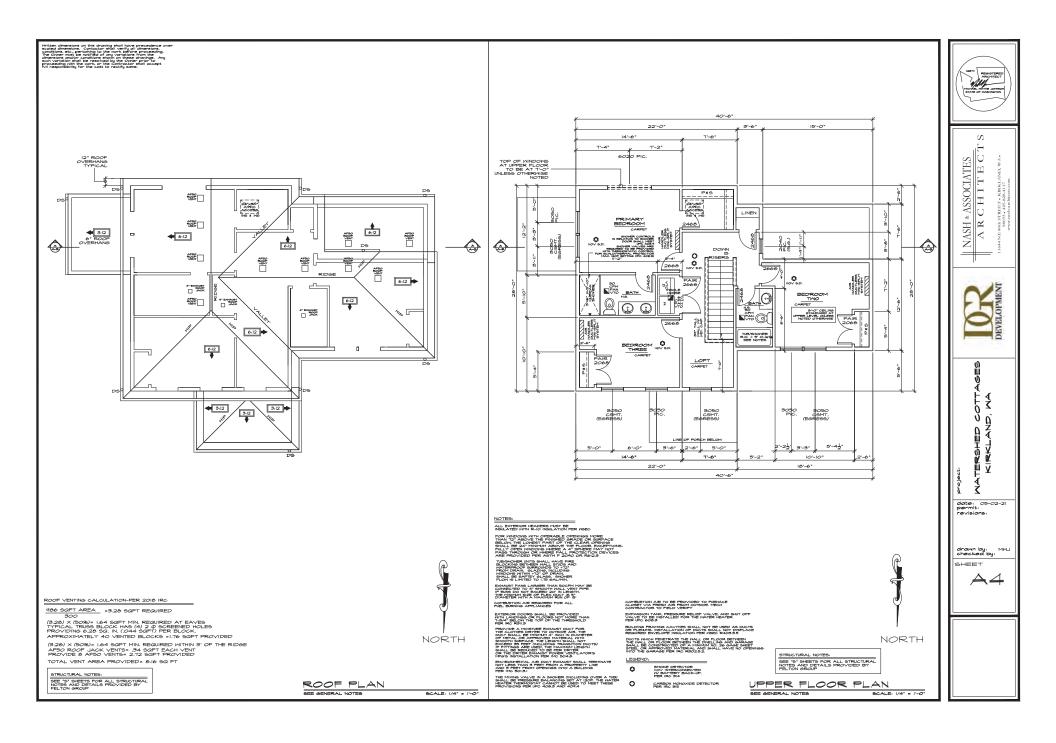
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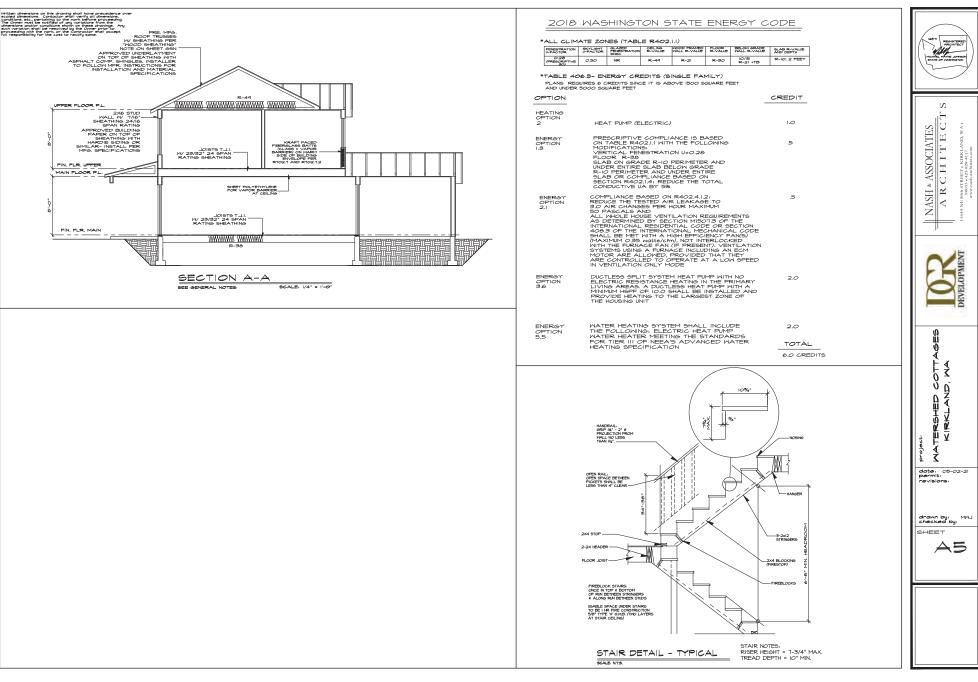


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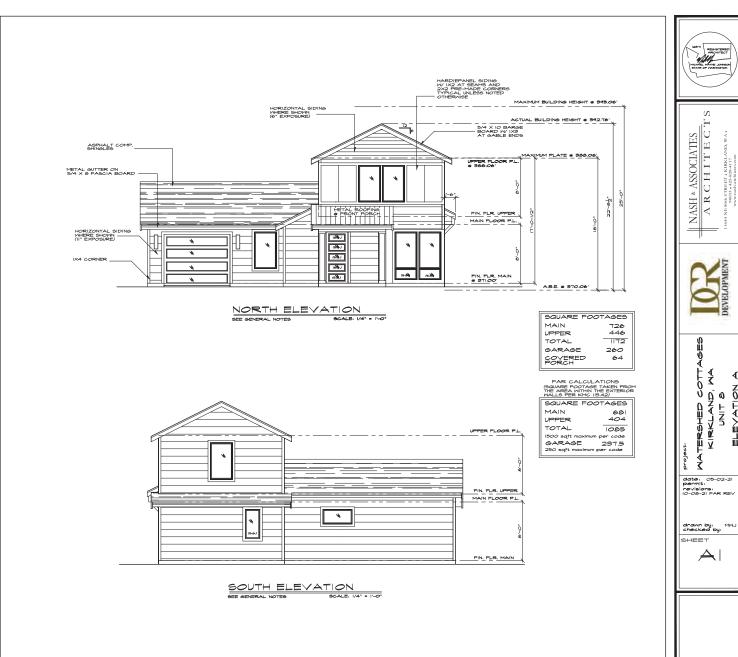
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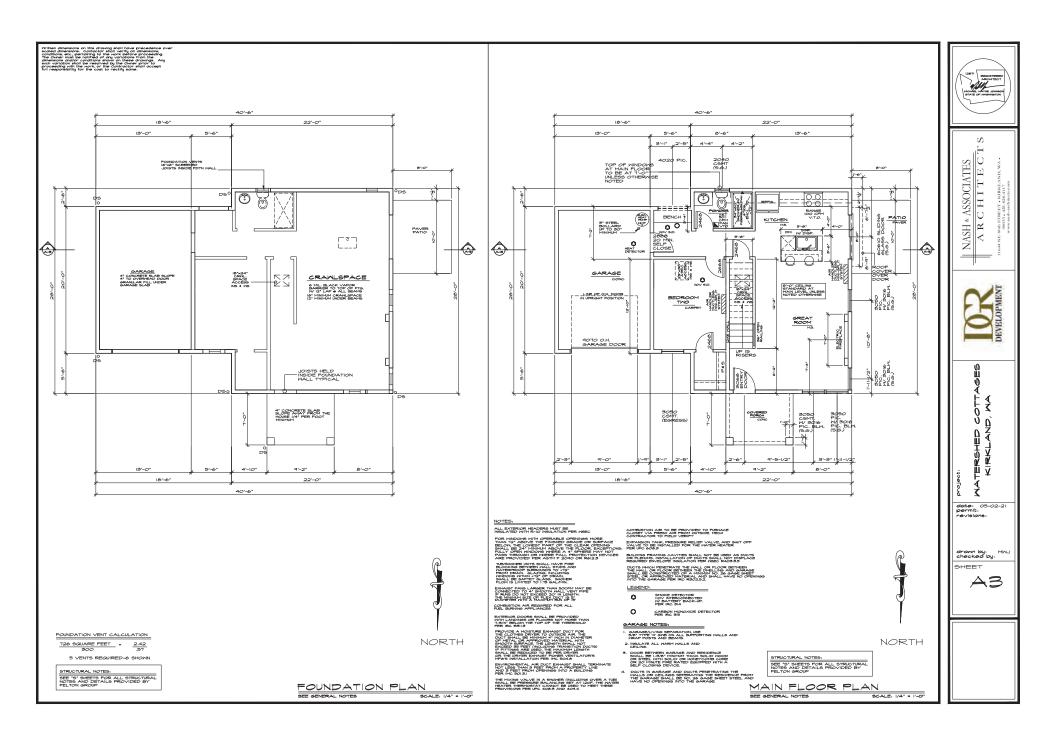
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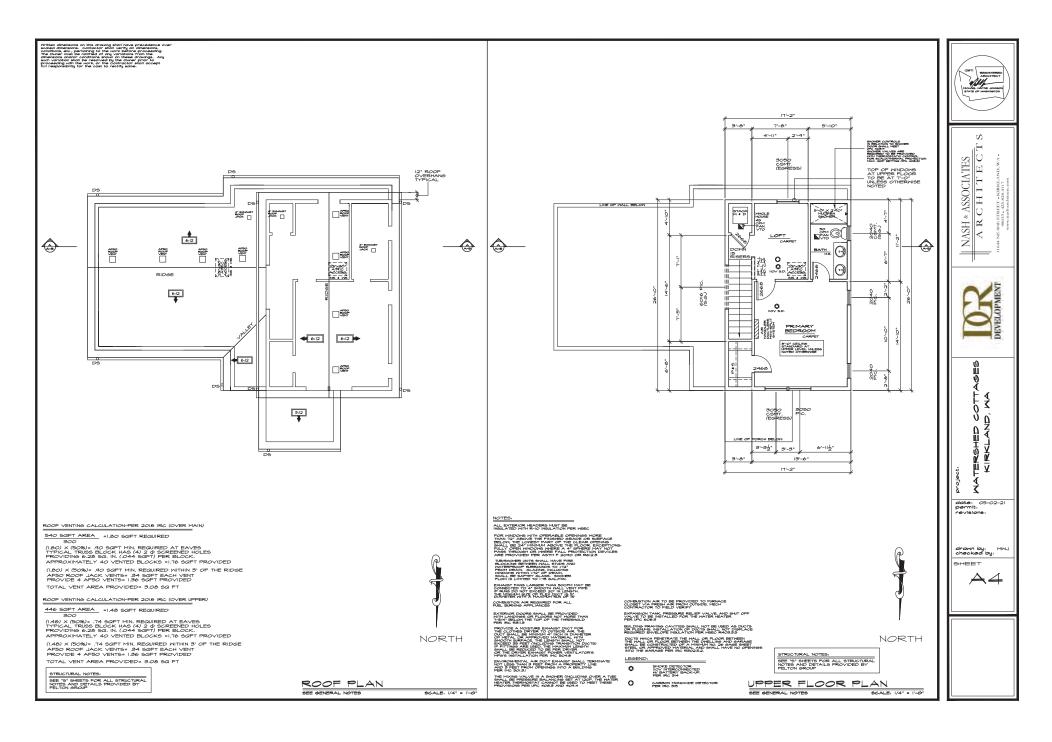
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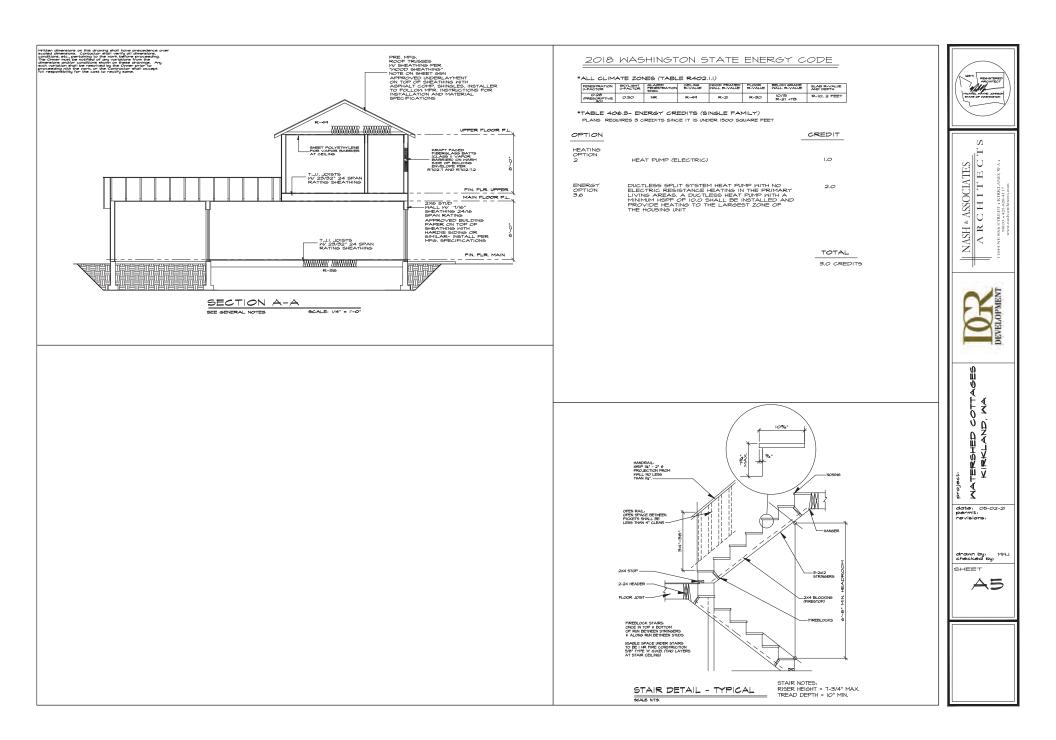
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SHORT PLAT DEVELOPMENT STANDARDS LIST

File: ZON21-00113

This application must comply with all applicable standards. The listing below outlines those standards in a typical development sequence.

KMC refers to Kirkland Municipal Code, KZC refers to Kirkland Zoning Code

TREE PLAN SUMMARY

On-site Significant Tree Typing								
Tree #	DBH	High Retention Value	Moderate Retention Value	Low Retention Value				
1*	Removed	Removed w/ TRE20-03173						
2*	41	Х						
3*	36	Х						
4*	Removed	Removed w/ TRE20-03173						
5*	10	Х						
6*	55		Х					
7	9			X – English holly				
8	9	Х						
9	13		Х					
10	12		Х					
11	8		Х					
12*	11	Х						
13	7	Х						
14*	23		Х					
15	7			X – English holly				
16	9			X – English holly				
17*	36		Х					
18	8		Х					
19*	21		Х					
20*	7		Х					
21	32		Х					
22*	31		Х					
23	8			X – English holly				
24*	36		Х					

25*	41	Χ		
26*	18		Х	
27*	12		Х	
28*	41		Х	
29*	6		X	
30*	21	Х		
31*	22	Х		
32	9			X – Portuguese laurel
33	11			X – common hawthorn
34*	17	Х		
35*	35		X	
36*	28		Х	
37*	7		Х	
38*	32	Х		
39*	26	Х		
40*	21		Х	
41*	14		Х	
42*	33		Х	
43*	24		Х	
44	6			X – English holly
45	9			X - English laurel
46	7			X – Rhododendron
47*	14		Х	
48	8	Х		
49*	34	Х		
50*	30	Х		

1. TREE PROTECTION FENCING: Once tree protection fencing is erected it cannot be moved (see KZC 95.34.2). The tree protection fencing on the site plan does not take the proposed construction into consideration. Map out the grading limits and revise the tree protection fencing as needed.

* denotes conifer trees which meet 1.5 times tree density credit per 95.33(1)(b)

- 2. EXCAVATION & FILL: No excavation or fill is allowed within the tree protection fencing of any retained or neighboring tree. Utilize rockeries and retaining walls to maintain grades around neighboring and retained trees.
- 3. ARBORIST REPORT UPDATES: Provide the Project Arborist with the revised Plan Set for review. An updated Arborist Report will be required with the LSM and BSF permits. With each building permit, an updated Arborist Report should be submitted clearly demonstrating that the Project Arborist is aware of all potential impacts to retained and

neighboring trees.

- 4. NEIGHBORING TREES: Work is proposed very close to neighboring trees. There is a high likelihood that excavation will diminish the structural stability of neighboring trees. All excavation work within 30' of an on-site or neighboring tree will have to be observed by the Project Arborist. Project memos will be sent to the City for approval. The Project Arborist must document which roots were cut from each tree. This will include the size of the root, distance from the tree trunk, photos of roots cut and a discussion of impacts to long term viability and stability. Additionally, each tree will have a tree risk assessment that will be provided to the impacted neighbors. Tree protection fencing as shown on the site plan is inadequate and will be reviewed with the building permits.
- 5. TREE LEGEND: The Tree Legend obfuscates the Plan Set. Do not show any trees as greyed out. Show all trees with black outlines. Trees proposed for removed must have an X over them. This applies to trees on site and neighboring trees.

No trees are to be removed with an approved zoning permit. Based on the approved Tree Retention Plan, the applicant shall retain and protect all viable trees throughout the cottage development process except for those trees allowed to be removed with an approved enhanced Land Surface Modification permit. Subsequent approval for tree removal is granted for the construction of the house and other associated site improvements with a required Building Permit. The Planning Official is authorized to require site plan alterations to retain High Retention value trees at each stage of the project. In addition to retaining viable trees, new trees may be required to meet the minimum tree density per KZC Section 95.33.

PRIOR TO RECORDING

KMC 22.20.362 Short Plat - Title Report. The applicant shall submit a title company certification which is not more than 30 calendar days old verifying ownership of the subject property on the date that the property owner(s) (as indicated in the report) sign(s) the short plat documents; containing a legal description of the entire parcel to be subdivided; describing any easements or restrictions affecting the property with a description, purpose and reference by auditor's file number and/or recording number; any encumbrances on the property; and any delinquent taxes or assessments on the property.

KMC 22.20.366 Short Plat - Lot Corners. The exterior short plat boundary and all interior lot corners shall be set by a registered land surveyor. If the applicant submits a bond for construction of short plat improvements and installation of permanent interior lot corners, the City may allow installation of temporary interior lot corners until the short plat improvements are completed.

KMC 22.20.390 Short Plat - Improvements. The owner shall complete or bond all required right-of-way, easement, utility and other similar improvements.

KMC 22.28.110-130 <u>Vehicular Access Easements</u>. Municipal Code sections 22.28.110 and 22.28.130 establish that if vehicular access within the plat is provided by means other than rights-of-way, the plat must establish easements or tracts, compliant with Zoning Code Section 105.10, which will provide the legal right of access to each of the lots served.

KZC 95.50.3 <u>Maintenance of Preserved Grove</u>. The applicant shall provide a legal instrument acceptable to the City ensuring the preservation in perpetuity of approved groves of trees to be retained.

KMC 22.32.010 <u>Utility System Improvements</u>. All utility system improvements must be designed and installed in accordance with all standards of the applicable serving utility.

KMC 22.32.020 Water System. The applicant shall install a system to provide potable

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water, adequate fire flow and all required fire-fighting infrastructure and appurtenances to each lot created.

KMC 22.32.030 Stormwater Control System. The applicant shall comply with the construction phase and permanent stormwater control requirements of the Municipal Code.

KMC 22.32.040 <u>Sanitary Sewer System</u>. The developer shall install a sanitary sewer system to serve each lot created.

KMC 22.32.050 <u>Transmission Line Undergrounding</u>. The applicant shall comply with the utility lines and appurtenances requirements of the Zoning Code.

KMC 22.32.080 Performance Bonds. In lieu of installing all required improvements and components as part of a plat or short plat, the applicant may propose to post a bond, or submit evidence that an adequate security device has been submitted and accepted by the service provider (City of Kirkland and/or Northshore Utility District), for a period of one year to ensure completion of these requirements within one year of plat/short plat approval.

KZC 85.40 <u>Natural Greenbelt Protective Easement</u>. The applicant shall submit for recording a natural greenbelt protective easement, in a form acceptable to the City Attorney, for recording with King County (see Attachment @).

KZC 90.210 <u>Natural Greenbelt Protective Easement</u>. The applicant shall submit for recording a natural greenbelt protective easement, in a form acceptable to the City Attorney, for recording with King County (see Attachment ____).

KZC 90.160 Monitoring and Maintenance of Critical Area Mitigation or Vegetative Buffer Enhancement: Critical area mitigation and vegetative buffer enhancement will require that the applicant submit a monitoring and maintenance plan consistent with the criteria found in 95.160, which is prepared by a qualified professional and reviewed by the City's wetland consultant. The cost of the plan and the City's review shall be borne by the applicant.

KZC 118 Hazardous Liquid Pipelines:

If the subject property is within 150 feet of the Olympic Pipeline, include the following statement on the face of the plat "All development activity, landfilling, excavation and construction is subject to the setback requirements of KZC 118, Hazardous Liquid Pipelines"

LAND SURFACE MOFICIATION AND/OR BUILDING PERMIT REQUIREMENTS

KZC 20.10-60.187 Required Yards for Multi-family Development: The side yard may be reduced to zero feet if the side of the dwelling unit is attached to a dwelling unit on an adjoining lot. If one side of a dwelling unit is so attached and the opposite side is not, the side that is not attached must provide a minimum side yard of five feet. The rear yard may be reduced to zero feet if the rear of the dwelling unit is attached to a dwelling unit on an adjoining lot.

KZC 83 Shoreline Master Program. The applicant shall follow all applicable development requirements established within the Kirkland Shoreline Master Program (SMP).

KZC 85.25.1 <u>Geotechnical Report Recommendations</u>. The geotechnical recommendations contained in the report by @ dated @ shall be implemented.

KZC 85.25.2 Geotechnical Acknowledgement. Written acknowledgment from the licensed in Washington State geotechnical engineer or licensed in Washington State engineering geologist who prepared the report required by KZC <u>85.15</u> that they have reviewed the project plans and that they conform to their recommendations.

KZC 85.25.3 <u>Geotechnical Professional On-Site</u>. A qualified geotechnical professional shall be present on-site during land surface modification and foundation installation activities.

KZC 85.25.8 and 85.40 Dedication. The City may require that the applicant dedicate development rights, air space, or an <u>open space</u> easement to the City to avoid impacts associated with a landslide hazard area or seismic hazard area on the subject property.

KZC 85.35 Bonds. The City may require a bond under Chapter 175 KZC and/or a perpetual

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landscape maintenance agreement to ensure compliance with any aspect of this chapter or any decision or determination made under this chapter.

KZC 85.45 Liability. Prior to issuance of any <u>development permit</u>, the applicant shall enter into an agreement with the City, which runs with the property, in a form acceptable to the City Attorney, indemnifying the City for any damage resulting from <u>development activity</u> on the subject property which is related to the physical condition of the property. The applicant shall record this agreement with the King County Recorder's Office and provide evidence to the City that the agreement has been recorded.

- **KZC 90.55** Wetlands and Wetland Buffers. No land surface modification may take place and no improvement may be located in a wetland or within the environmentally sensitive area buffers for a wetland, except as specifically provided.
- **KZC 90.55 Structure Setback from** <u>Wetland Buffers</u>. A 10-foot-wide structure setback is required from the upland edge of the entire buffer. Improvements listed in KZC 90.140 are permitted within the setback.
- **KZC 90.190** Wetland Buffer Fence. Prior to development, the applicant shall install a six-foot high construction phase fence along the upland boundary of the wetland buffer with silt screen fabric installed per City standard. The fence shall remain upright in the approved location for the duration of development activities. Upon project completion, the applicant shall install between the upland boundary of all wetland buffers and the developed portion of the site, a permanent split rail, open slatted with at least 18 inches between each slat, wrought iron, chain link, or similar nonsolid fence between three (3) and six (6) feet in height must be installed along the entire edge of the buffer.
- **KZC 90.65** <u>Streams and Stream Buffers</u>. No land surface modification may take place and no improvements may be located in a stream or within the environmentally sensitive area buffers for a stream except as specifically provided.
- **KZC 90.65 Structure Setback from <u>Stream Buffers</u>.** A 10-foot-wide structure setback is required from the upland edge of the entire buffer. Improvements listed in KZC 90.140 are permitted within the setback.
- **KZC 90.190** Stream Buffer Fence. Prior to development, the applicant shall install a six-foot high construction phase fence along the upland boundary of the entire stream buffer with silt screen fabric installed per City standard. The fence shall remain upright in the approved location for the duration of development activities. Upon project completion, the applicant shall install between the upland boundary of all stream buffers and the developed portion of the site, a permanent split rail, open slatted with at least 18 inches between each slat, wrought iron, chain link, or similar nonsolid fence between three (3) and six (6) feet in height must be installed along the entire edge of the buffer.
- **KZC 90.165 Financial Security for Performance, Maintenance and Monitoring.** A financial security for performance, monitoring and maintenance shall be submitted prior to issuance of a land surface modification or building permit for plantings, improvements and other mitigation measures required in this chapter. The performance portion of the security will be released upon City approval of the installed mitigation.
- **KZC 90.215** <u>Liability</u>. The applicant shall enter into an agreement with the City which runs with the property, in a form acceptable to the City Attorney, indemnifying the City for any claims, actions, liability and damages to critical areas arising out of development activity on the subject property (see Attachment ____).
- **KZC 95.35.2.b.(3)(b)i** <u>Tree Protection Techniques</u>. A description and location of tree protection measures during construction for trees to be retained must be shown on demolition and grading plans.
- **KZC 95.34** <u>Tree Protection</u>. Prior to development activity or initiating tree removal on the site, vegetated areas and individual trees to be preserved shall be protected from potentially damaging activities. Protection measures for trees to be retained shall include (1) placing no
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construction material or equipment within the protected area of any tree to be retained; (2) providing a visible temporary protective chain link fence at least 4 feet in height around the protected area of retained trees or groups of trees until the Planning Official authorizes their removal; (3) installing visible signs spaced no further apart than 15 feet along the protective fence stating "Tree Protection Area, Entrance Prohibited" with the City code enforcement phone number; (4) prohibiting excavation or compaction of earth or other damaging activities within the barriers unless approved by the Planning Official and supervised by a qualified professional; and (5) ensuring that approved landscaping in a protected zone shall be done with light machinery or by hand.

- **KZC 95.45** <u>Tree Installation Standards</u>. Installation of supplemental trees to be planted shall conform to Kirkland Zoning Code Section 95.45.
- **KZC 110.60.5** <u>Street Trees</u>. All trees planted in the right-of-way must be approved as to species by the City. All trees must be two inches in diameter at the time of planting as measured using the standards of the American Association of Nurserymen with a canopy that starts at least six feet above finished grade and does not obstruct any adjoining sidewalks or driving lanes.
- **KZC 95.52** <u>Prohibited Vegetation.</u> Plants listed as prohibited in the Kirkland Plant List shall not be planted in the City. These plants include Himalayan and Evergreen Blackberry, English Holly, Fragrant water lily; Bindweed or Morning Glory, Bird Cherry, English and Atlantic Ivy; Herb Robert; Bohemian, Giant, Himalayan, and Japanese Knotweed; Old man's beard, Poison hemlock, Reed canary grass, Scotch broom, Spurge laurel, Yellow archangel, and Yellow flag iris. Other plants, while not prohibited, are discouraged, including Butterfly bush, Black Locust, European Mountain Ash, Tree-of-Heaven, Common Hawthorn, and English laurel.
- **KZC 105.10** <u>Vehicular Access Easements or Tracts</u>. The access easement or tract shall be ____ feet wide and contain a paved surface ____ feet in width. The access easement or tract shall be screened from the adjacent property to the ____ with a minimum five-foot high sight-obscuring fence; or vegetation that will provide comparable screening to a five-foot fence within two years of planting; along the entire easement or tract outside the required front yard.
- **KZC 105.10.2** Pavement Setbacks. The paved surface in an access easement or tract shall be set back at least 5 feet from any adjacent property which does not receive access from that easement or tract. An access easement or tract that has a paved area greater than 10 feet in width must be screened from any adjacent property that does not receive access from it. Screening standards are outlined in this section.
- **KZC 105.19** Public Pedestrian Walkways. The height of solid (blocking visibility) fences along pedestrian pathways that are not directly adjacent a public or private street right-of-way shall be limited to 42 inches unless otherwise approved by the Planning or Public Works Directors. All new building structures shall be setback a minimum of five feet from any pedestrian access right-of-way, tract, or easement that is not directly adjacent a public or private street right-of-way. If in a design district, see section and Plate 34 for through block pathways standards.
- **KZC 105.47** Required Parking Pad. Except for garages accessed from an alley, garages serving detached dwelling units in low density zones shall provide a minimum 20-foot by 20-foot parking pad between the garage and the access easement, tract, or right-of-way providing access to the garage.
- **KZC 115.25** Work Hours. It is a violation of this Code to engage in any development activity or to operate any heavy equipment before 7:00 am. or after 8:00 pm Monday through Friday, or before 9:00 am or after 6:00 pm Saturday. No development activity or use of heavy equipment may occur on Sundays or on the following holidays: New Year's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving, and Christmas Day. The applicant will be required to comply with these regulations and any violation of this section will result in enforcement action, unless written permission is obtained from the Planning Official.
- **KZC 115.40** Fence Location. Fences over 6 feet in height may not be located in a required

- setback yard. A detached dwelling unit abutting a neighborhood access or collector street may not have a fence over 3.5 feet in height within the required front yard. No fence may be placed within a high waterline setback yard or within any portion of a north or south property line yard, which is coincident with the high waterline setback yard.
- **KZC 115.42** Floor Area Ratio (F.A.R.) Limits. Floor area for detached dwelling units is limited to a maximum floor area ratio in low density residential zones. See Use Zone charts for the maximum percentages allowed. This regulation does not apply within the disapproval jurisdiction of the Houghton Community Council.
- **KZC 115.43** Garage Requirements for Detached Dwelling Units in Low Density Zones. Detached dwelling units served by an open public alley, or an easement or tract serving as an alley, shall enter all garages from that alley. Whenever practicable, garage doors shall not be placed on the front façade of the house. Side-entry garages shall minimize blank walls. For garages with garage doors on the front façade, increased setbacks apply, and the garage width shall not exceed 50% of the total width of the front façade. These regulations do not apply within the disapproval jurisdiction of the Houghton Community Council. Section 115.43 lists other exceptions to these requirements.
- **KZC 115.75.2** <u>Fill Material</u>. All materials used as fill must be non-dissolving and non-decomposing. Fill material must not contain organic or inorganic material that would be detrimental to the water quality, or existing habitat, or create any other significant adverse impacts to the environment.
- **KZC 115.90** <u>Calculating Lot Coverage</u>. The total area of all structures and pavement and any other impervious surface on the subject property is limited to a maximum percentage of total lot area. See the Use Zone charts for maximum lot coverage percentages allowed. Section 115.90 lists exceptions to total lot coverage calculations See Section 115.90 for a more detailed explanation of these exceptions.
- **KZC 115.95** Noise Standards. The City of Kirkland adopts by reference the Maximum Environmental Noise Levels established pursuant to the Noise Control Act of 1974, RCW 70.107. See Chapter 173-60 WAC. Any noise, which injures, endangers the comfort, repose, health or safety of persons, or in any way renders persons insecure in life, or in the use of property is a violation of this Code.
- **KZC 115.115** Required Setback Yards. This section establishes what structures, improvements and activities may be within required setback yards as established for each use in each zone.
- **KZC 115.115.3.g** Rockeries and Retaining Walls. Rockeries and retaining walls are limited to a maximum height of four feet in a required yard unless certain modification criteria in this section are met. The combined height of fences and retaining walls within five feet of each other in a required yard is limited to a maximum height of 6 feet, unless certain modification criteria in this section are met.
- **KZC 115.115.3.n** Covered Entry Porches. In residential zones, covered entry porches on dwelling units may be located within 13 feet of the front property line if certain criteria in this section are met. This incentive is not effective within the disapproval jurisdiction of the Houghton Community Council.
- **KZC 115.115.3.0** <u>Garage Setbacks</u>. In low density residential zones, garages meeting certain criteria in this section can be placed closer to the rear property line than is normally allowed in those zones.
- **KZC 115.115.3.p HVAC and Similar Equipment:** These may be placed no closer than five feet to a front, side, or rear property line, and may only be located in a required front yard for single-family residential uses pursuant to subsection (3)(p)(2) of this section; provided, that HVAC equipment may be located in a storage shed approved pursuant to subsection (3)(m) of this section or a garage approved pursuant to subsection (3)(o)(2) of this section. All HVAC equipment shall be baffled, shielded, enclosed, or placed on the property in a manner that will ensure compliance with the noise provisions of KZC 115.95.
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- **KZC 115.115.5.a** <u>Driveway Width and Setbacks</u>. For a detached dwelling unit, a driveway and/or parking area shall not exceed 20 feet in width in any required front yard, and shall be separated from other hard surfaced areas located in the front yard by a 18-inch wide landscape strip. Driveways shall not be closer than 5 feet to any side property line unless certain standards are met.
- **KZC 115.135** <u>Sight Distance at Intersection</u>. Areas around all intersections, including the entrance of driveways onto streets, must be kept clear of sight obstruction as described in this section
- **KZC 118.40.3** <u>Hazardous Liquid Pipeline Covenant</u>. Prior to issuance of any development permit, the applicant shall enter into an agreement with the City, which runs with the property, in a form acceptable to the City Attorney, indemnifying the City for any damage resulting from development activity on the subject property which is related to a hazardous liquid pipeline. The agreement shall be recorded with the King County Recorder's Office.
- **KZC 145.22.2** <u>Public Notice Signs</u>. Within seven (7) calendar days after the end of the 21-day period following the City's final decision on the permit, the applicant shall remove all public notice signs.

PRIOR TO FINAL INSPECTION OR OCCUPANCY

- **KZC 85.25.3** <u>Geotechnical Professional On-Site</u>. The geotechnical engineer shall submit a final report certifying substantial compliance with the geotechnical recommendations and geotechnical related permit requirements.
- **KZC 85.35 Bonds**. The City may require a bond under Chapter 175 KZC and/or a perpetual landscape maintenance agreement to ensure compliance with any aspect of this chapter or any decision or determination made under this chapter.
- **KZC 85.50** Notice of Geologic Hazard. Prior to final inspection of any development permit, the applicant shall record (unless legally prohibited from doing so), on the title of the property, a notice stating that the property is potentially located in a geologically hazardous area. This notice will inform future owners that, at the time of the permit's issuance, the property was potentially located in a geologically hazardous area.
- **KZC 95.40** Bonds. The City may require a maintenance agreement or bond to ensure compliance with any aspect of the Landscaping chapter. A ____ is required for ____ (see Attachment ____).
- **KZC 95.50.2.b** <u>Tree Maintenance</u>. For detached dwelling units, the applicant shall submit a 5-year tree maintenance agreement to the Planning Department to maintain all pre-existing trees designated for preservation and any supplemental trees required to be planted.
- **KZC 110.60.6** <u>Mailboxes</u>. Mailboxes shall be installed in the development in a location approved by the Postal Service and the Planning Official. The applicant shall, to the maximum extent possible, group mailboxes for units or uses in the development.
- **KZC 110.75 Bonds**. The City may require or permit a bond to ensure compliance with any of the requirements of the Required Public Improvements chapter. A ____ shall be submitted for

(((Shorelines)))

- **KZC 83.420** <u>Public Access</u>. Project must provide public pedestrian access from the right-of-way to and along the entire waterfront of the subject property at or close to the high waterline. Developments should be designed to visually and physically separate the public pedestrian access from adjacent private spaces.
- **KZC 83.420.(5)(f)** <u>Public Access Easements</u>. All owners of the subject property must record an easement approved by the City Attorney establishing the right of the public to the pedestrian access (see Attachment ____).
- **KZC 83.420(5)(e)** <u>Public Access Signs</u>. Sign(s) shall be installed designating the public pedestrian access. The signs shall be located for maximum public visibility and the design,
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materials and location of the signage shall meet City specifications.

DEVELOPMENT STANDARDS ZON21-00113



BUILDING DEPARTMENT

Contact: Tom Jensen – tjensen@kirklandwa.gov

- 1. A geotechnical report is required to address development activity. The report must be prepared by a Washington State licensed Professional Engineer. The recommendations contained within the report shall be incorporated into the design of the subsequent structures.
- 2. Prior to issuance of Building, Demolition or Land Surface Modification permit applicant must submit a proposed rat baiting program for review and approval. Kirkland Municipal Ordinance 21.41.302.
- 3. A separate demolition permit is required for removal of the existing structures.
- 4. Plumbing meter and service line shall be sized in accordance with the current UPC.
- 5. Any vault or retaining walls to be constructed with the LSM will require separate building permits.
- 6. Permit applications shall comply with the 2018 editions of the International Building, Residential and Mechanical Codes and the Uniform Plumbing Code as adopted and amended by the State of Washington and the City of Kirkland.
- 7. To determine fire-rated assemblies, indicate the fire separation distances to imaginary lot lines between the residences on the site plans.
- 8. Permit applications shall comply with the 2018 edition of the International Energy Conservation Code as adopted and amended by the State of Washington.
- 9. The City of Kirkland reviews, issues and inspects all electrical permits in the city. Electrical permit applications shall comply with the 2020 Washington Cities Electrical Code chapters 1 and 3 as published by WABO.
- 10. Structures must be designed for seismic design category D, wind speed of 110 miles per hour and exposure B.

FIRE DEPARTMENT

Fire Prevention Bureau

Todd Anderson 425-587-3639; tanderson@kirklandwa.gov

FIRE FLOW

2841 gpm, adequate for any sized home.

Per Kirkland Operating Policy 4a (Fire Flow Requirements for Single Family Homes) table B105.1(2) type V (wood frame) construction homes with a gross floor area of under 3,600 sq ft require a minimum fire flow of 1000 gpm. Homes from 3,601-4800 sq. ft require a minimum fire flow of 1,750 gpm and homes from 4,801-6,200 require a minimum of 2000 gpm fire flow.

HYDRANTS

There are 2 issues that will drive this project into sprinklers (excluding square footage)- Access and distance to the nearest hydrant. The closest hydrant is outside of our 300' rule but within the 600' rule for sprinkled homes. You cannot correct more than one deficiency with Sprinklers, so if access remains inadequate you will have to sprinkle the 6 westerly units and add 1 additional hydrant on the lot where appropriate. If access is re-configured to be appropriate then the hydrant could be eliminated as long as units 1,2,7 and 8 have Fire Sprinkler systems.

ACCESS

The 6 westerly units on the lot will require sprinkler systems due to inadequate FD Access. (No portion of an exterior wall can be further than 150' from a FD Access road). In order to make the driveway leading into the cottages considered a FD Access road there would need to be an approved turnaround at the West end; either a cul-de-sac or a hammerhead. The hammerhead in the plans is not of sufficient size- see KFD Operating Policy #6. The 2 units that front 112th Ave have adequate FD Access.

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SPRINKLER THRESHOLD

Per Kirkland Municipal Code, all new buildings which are 5,000 gross square feet or larger require fire sprinklers. Included are single family homes, duplexes, and zero lot line townhouses where the aggregate area of all connected townhouses is greater than 5,000 square feet; garages, porches, covered decks, etc, are included in the gross square footage. (This comment is included in these conditions for informational purposes only.)

PUBLIC WORKS DEPARTMENT

PUBLIC WORKS CONDITIONS
Permit #: ZON21-00113
Project Name: 8 lot cottages
Project Address: 4559 112th Ave NE

Date: 3/5/2021

Public Works Staff Contacts

Jamie Ward, Development Engineer

Phone: 425-587-3809 / E-mail: jward@kirklandwa.gov

General Conditions:

- 1. All public improvements associated with this project including street and utility improvements, must meet the City of Kirkland Public Works Pre-Approved Plans and Policies Manual. A Public Works Pre-Approved Plans and Policies manual can be purchased from the Public Works Department, or it may be retrieved from the Public Works Department's page at the City of Kirkland's web site.
- 2. This project will be subject to Public Works Permit and Connection Fees. It is the applicant's responsibility to contact the Public Works Department by phone or in person to determine the fees. The applicant should anticipate the following fees:
- Water, Sewer, and Surface Water Connection Fees *
- o Side Sewer Inspection Fee *
- o Septic Tank Abandonment Inspection Fee
- o Water Meter Fee *
- o Right-of-way Fee
- o Review and Inspection Fee
- o Building Permits associated with this proposed project will be subject to the traffic, park, and school impact fees per Chapter 27 of the Kirkland Municipal Code. The impact fees shall be paid prior to issuance of the Building Permit(s). Any existing buildings within this project which are demolished will receive a Traffic Impact Fee credit, Park Impact Fee Credit and School Impact Fee Credit. This credit will be applied to the first Building Permits that are applied for within the project. The credit amount for each demolished building will be equal to the most currently adopted Fee schedule.
- * Fee to be paid with the issuance of a Building Permit.
- 3. All street and utility improvements shall be permitted by obtaining a Land Surface Modification (LSM) Permit, including the required LSM Checklist.
- Prior to Final Inspection of the Land Surface Modification improvements, there will be a condition of the permit to establish a two year Maintenance security.
- 4. This project is exempt from concurrency review.
- 5. All civil engineering plans which are submitted in conjunction with a building, grading, or right-of-way permit must conform to the Public Works Policy G-7, Engineering Plan Requirements. This policy is contained in the Public Works Pre-Approved Plans and Policies manual.

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- 6. All street improvements and underground utility improvements (storm, sewer, and water) must be designed by a Washington State Licensed Engineer; all drawings shall bear the engineers stamp.
- 7. All plans submitted in conjunction with a building, grading or right-of-way permit must have elevations which are based on the King County datum only (NAVD 88).
- 8. A completeness check meeting is required prior to submittal of any Building Permit applications.
- 9. Prior to issuance of any cottage or multifamily Building Permit, the applicant shall provide a plan for garbage, recycling and composting storage and pickup. The plan shall conform to Policy G-9 in the Public Works Pre-approved Plans and be approved by Waste Management and the City. Important feature is to provide enough storage area for recycling and composting; and being able to pick up containers without storing in the ROW overnight. Submit the plan with a cover letter to explain how Policy G-9 requirements will be met. Please contact John MacGillivray, 425.587.3804, if you have questions.
- 10. The required tree plan shall include any significant tree in the public right-of-way along the property frontage.

Sanitary Sewer Conditions:

- 1. The existing sanitary sewer main located on the adjacent property within a sewer easement is adequate to serve the project.
- 2. The applicant shall extend the sanitary sewer system in accordance with KZC Chapter 110 and KMC Title 15.12.032 "Required sewer extension prior to connection". Extend an 8" sewer main along the west property line from the North to the South and terminate with a manhole. The sewer main may need to extend up the access easement to create side sewers that are less than 150' long.
- 3. Provide a plan and profile design for the sewer line extension.
- 4. A 20 foot wide public sanitary sewer easement must be recorded with the property.
- 5. Provide a 6-inch minimum side sewer stub to each lot. Side sewers serving the property shall be PVC gravity sewer pipe per Public Works Pre-Approved Criteria. Remove and replace any substandard pipes. Verify existing pipe condition by video inspection if the pipe is to remain.
- 6. Access for maintenance of the sewer manholes is required. Provide a 15' wide access easement from the right-of-way to each sanitary sewer manhole.
- 7. The existing septic system shall be abandoned per City standards with a Demo Permit.

Water System Conditions:

- 1. The existing 12" Asbestos Concrete water main in the right-of-way is adequate to serve the project.
- 2. Provide a separate water service from the water main to the meter for each lot. City of Kirkland will set water meters 2" and smaller. Water meters are sized per the Uniform Plumbing Code when the Building Permit is submitted. A ¾" meter is typical for a new single-family home, which requires a 1" water service line from the main. See Pre-Approved Plans for more details. Structures with a fire sprinkler system plumbed to the domestic water service will require a 1" meter at a minimum.
- 3. Water meters to be located behind the sidewalk in the Right of Way or Public Easement.
- 4. The existing water service shall be abandoned at the main, unless expressly approved otherwise by Public Works Department.
- 5. See Fire Department conditions for fire flow requirements.

Surface Water Conditions:

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- 1. Provide temporary and permanent storm water control in accordance with the 2016 King County Surface Water Design Manual (KCSWDM) and the City of Kirkland Addendum (Policy D-10).
- 2. To determine the drainage review level required, the target impervious surface area is the maximum allowable lot coverage area for the project, plus any offsite improved impervious areas. See Policies D-2 and D-3 in the Public Works Pre-Approved Plans for drainage review information, or contact Kirkland Surface Water staff at (425) 587-3800 for assistance. The Kirkland Drainage Review Flow Chart is a helpful tool to determine a project's drainage review level. Drainage review levels are summarized below:
- Full Drainage Review
- o Any non-single-family residential project that creates more than 2,000 sf of new and/or replaced impervious surface, or greater than 7,000 sf of land disturbing activity will trigger a Full Drainage Review.
- o Single family residential projects that propose improvements greater than the Simplified thresholds explained above will be subject to a Full Drainage Review.
- 3. Attention to Civil Plan Designers: Kirkland Zoning Code Update and Surface Water Design Policy Update -- Public Works Policy D-10 (City's Addendum to the 2016 KC-SWDM) was updated in July 2019. Follow the new guidelines in D-10 regarding flow control analysis. Effective on July 12, 2019, the City updated KZC Chapter 115.90 Calculating Lot Coverage. Background: The regulation update allowed conventional (sand set) pavers to be counted as a "Partially Exempt Material", allowed to received 50 percent exemption for the area they cover, and up to 10 percent of the total lot size. Conventional pavers do not have to meet surface water mitigation specifications (e.g. not designed as LID BMP pervious pavers per Public Works Pre-Approved Plan CK-L-09). As a result, lots are allowed 10 percent more runoff generating surface area, and thus have to provide flow control accordingly.

For calculating impervious coverage for proposed residential and commercial development must be estimated for each specific proposal. Impervious coverage for frontage layouts – streets, sidewalks, trails, etc – shall be taken from the layouts of the proposal. House/driveway or building coverage shall be as follows:

- For residential development, the assumed impervious coverage shall be the maximum impervious coverage permitting by the Kirkland Zoning Code (KZC) plus an additional 10%.
- For commercial or multi-family development, the impervious coverage shall either:
- Assume the maximum impervious coverage permitted by the KZC plus an additional 10% OR
- o Estimate impervious coverage from layouts of the proposal. If estimated from the layouts of the proposal, the impervious coverage shall include calculations of all impervious surfaces, including eaves. This option may require a Reduced Impervious Surface Limit to be recorded on the property.
- 4. A preliminary drainage report (Technical Information Report) must be submitted with the subdivision application. This must include a downstream analysis for all projects (except for Basic and Simplified Drainage Review projects). Provide a level one off-site analysis per Core Requirement #2 of the KCSWDM.
- For Simplified Drainage Review, use the Simplified TIR Submittal Template available on the City of Kirkland website. Navigate to the following webpage:
- "City of Kirkland Utilities > Storm & Surface Water > Development & Construction"
- 5. This project is in a Level 2 Flow Control Area, and is required to comply with core drainage requirements in the KCSWDM. Historic (forested) conditions shall be used as the pre-developed modeling condition for design of the stormwater detention system.
- 6. The project may qualify for an exception to detention if the target surfaces will generate no more than a 0.15 cfs increase in the historic (forested) conditions 100-year peak flow. The 15-minute time step must be used to perform the flow control analysis. Do not use the 1-hour time step. Approved hydrologic modeling programs are MGS Flood and WWHM 2012.
- 7. Evaluate the feasibility and applicability of dispersion, infiltration, and other stormwater Low Impact Development (LID) Best Management Practices (BMPs) per the KCSWDM. If feasible, stormwater LID BMPs are required to the maximum extent feasible. If LID BMPs are infeasible, pervious pavement cannot be used to reduce overall impervious lot coverage. The Private Maintenance Agreement will be recorded on all projects that construct a stormwater LID BMP or facility, per Policy D-7.
- 8. Soil information may be necessary for designing LID BMPs per the KCSWDM, and there are other reasons a soil report is

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necessary for a project (e.g., steep slopes, sensitive areas, etc.). Refer to Policy D-8 for details.

- 9. Special inspections may be required for LID BMPs on this project. Provide documentation of inspections by a licensed geotechnical professional that the BMP will function as designed.
- 10. If the project will create or replace more than 5,000 square feet of pollution generating impervious surface (PGIS), provide water quality treatment in accordance with the KCSWDM. The enhanced treatment level is required for multi-family residential, commercial, industrial projects, and single family residential projects with eight or more dwelling units per acre density.
- 11. Soil Amendment per Pre-Approved Plan E.12 is required for all landscaped areas.
- 12. Provide a separate storm drain connection to each lot for conveyance. All roof and driveway drainage must be tight-lined to the storm drain system or utilize low impact development techniques on-site.
- 13. Provide collection and conveyance of right-of-way storm drainage. With new frontage improvements the surface water from the right-of-way needs to be collected and routed to the public drainage on the opposite side on 112th Ave NE. Provide a plan and profile design for the storm sewer system. Size and material of construction shall be in accordance with the City Kirkland Pre-Approved Plans and Notes. Refer to Policy D-5 for details.
- 14. An onsite drainage plan and profile will need to be designed to collect and convey onsite surface water through the existing utility easement to the North. The system will connect to the existing storm drainage on parcel #9544200262.
- 15. A storm and sewer line easement must be recorded with the property.
- 16. Provide a 15' wide access easement to the storm detention control manhole; easement must be improved with 10' of asphalt and drainage control to protect against erosion.
- 17. All Sub-divisions and (Cottage developments within a single family zone) with a surface water detention system must be maintained by the City of Kirkland. This requires public easement access for maintenance.
- 18. If working within an existing ditch, the applicant is hereby given notice that the Army Corps of Engineers (COE) has asserted jurisdiction over upland ditches draining to streams. Either an existing Nationwide COE permit or an Individual COE permit may be necessary for work within ditches, depending on the project activities.

Applicants should obtain the applicable COE permit; information about COE permits can be found at: U.S. Army Corps of Engineers, Seattle District Regulatory Branch

http://www.usace.army.mil/Missions/CivilWorks/RegulatoryProgramandPermits.aspx

Specific questions can be directed to: Seattle District, Corps of Engineers, Regulatory Branch, CENWS-OD-RG, Post Office Box 3755, Seattle, WA 98124-3755, Phone: (206) 764-3495

- 19. A Hydraulic Project Approval (HPA) from WA State Department of Fish and Wildlife (WDFW) may be required for this project. Contact Stewart Reinbold at WDFW at 425-313-5660 or stewart.reinbold@dfw.wa.gov for determination, obtain an HPA if required, and submit a copy to COK. If an HPA is not required, the applicant will be required to provide written documentation from WDFW as verification. More information on HPAs can be found at the following website: http://wdfw.wa.gov/licensing/hpa/
- 20. Construction Stormwater Pollution Prevention Plan (CSWPPP):
- All proposed projects that will conduct construction activities onsite, or offsite must provide stormwater pollution prevention and spill controls to prevent, reduce, or eliminate the discharge of pollutants (including sediment) to onsite or adjacent stormwater systems or watercourses.
- Refer to Core Requirement No. 5 in the KCSWDM and Policy D-12.
- Provide an erosion control report and plan with the Building or Land Surface Modification Permit application. The plan shall be in accordance with the KCSWDM.
- Construction drainage control shall be maintained by the developer and will be subject to periodic inspections. During the period from May 1 and September 30, all denuded soils must be covered within 7 days; between October 1 and April 30, all denuded soils must be covered within 12 hours. Additional erosion control measures may be required based on site and weather conditions. Exposed soils shall be stabilized at the end of the workday prior to a weekend, holiday, or predicted

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rain event.

- 21. The cottage housing regulations require the project to use Low Impact Design drainage features where feasible. The civil engineer shall provide a plan to the Public Works Department addressing how the project will be designed to incorporate LID into all aspects of the development proposal to match pre-development hydrologic conditions. If full implementation is not feasible, the civil engineer shall provide an analysis supporting this conclusion and shall provide a plan which utilizes the following preferred stormwater management techniques, where feasible, together with an analysis of those techniques which are not feasible to implement. Note Kirkland Zoning Code 113.35.1 for storm water design requirements for cottage housing.
- Retention of significant vegetated areas;
- Limited site disturbance
- Permeable pavements/materials
- On-site infiltration
- Bioretention swales/rain gardens
- Reduced impervious surface
- Soil amendment

Street and Pedestrian Improvement Conditions:

- 1. The subject property abuts 112th Ave NE. This street is a Neighborhood Access type street. Zoning Code sections 110.10 and 110.25 require the applicant to make half-street improvements in rights-of-way abutting the subject property. Section 110.30-110.50 establishes that this street must be improved with the following:
- A. Dedicate sufficient right-of-way (ROW) abutting the property to install half-street improvements. Alignment of new curb and sidewalk should match the existing curb and sidewalk to the North.
- B. Install Valley curb. Pavement width to measure 20' minimum from curb to opposite side of street. Additional asphalt may be required on the east side of the road.
- C. Install a 5-ft wide concrete sidewalk behind the curb to match existing to the North.
- D. Remove and replace existing half-street improvements in substandard condition. This could require the relocation of existing utility pole. Utility poles are to be located 18" behind the sidewalk.
- E. Remove obsolete driveway cuts, and replace with new frontage improvements.
- F. Identify and protect trees with retention value in the right-of-way.
- G. Coordinate improvements with planned Kirkland street projects, if any.
- H. Provide pedestrian access from each unit to the public Right of Way.
- 2. Public Improvements Modification (KZC 110.70.3): The City may require or grant a modification to the nature or extent of any required improvement for any of the following reasons:
- A. If the City and a neighborhood has agreed upon a modified standard for a particular street (see the Public Works Pre-Approved Plans and Policies Notebook for a description of the Neighborhood Access Street Improvement Modification and Waiver Process).

Review KZC 110.70 for full details about Modifications, Deferments and Waivers, and Construction-in-Lieu, and details about granting authority consistent with the approval processes for short plats and subdivisions.

Access:

- Access Requirements (KZC Chapter 105.10): For Cottage Requirements only
- Access shall be 20 ft wide to serve the units (as shown is acceptable).
- Each unit shall have the access necessary to turn around and drive forward across the right-of-way; no backing into the right of way.
- o Show the project meets unit parking (separate from visitor); 1.0 stall per unit (unit less than 700 SF), 1.5 stalls per unit (units between 700 1000SF) and 2.0 stalls per unit (units greater than 1000 SF). All parking shall be 20 ft in depth and located outside of access ways.
- o Show location for guest parking; number of stall to be determined by the Planning Department.
- o Show location for garbage/recycle/yard container storage on-site for each unit. The project shall enter into an agreement to have Waste Management provide collection on-site using the private access. Provide an approval letter from Waste Management with exhibit confirming on-site collection.
- Access Requirements (KZC Chapter 105.10): For Cottage with subdivision

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- o Access shall be 20 ft wide to serve all the units (as shown is acceptable).
- o Each unit shall have the access necessary to turn around and drive forward across the right-of-way; no backing into the right of way.
- o Show the project meets unit parking (separate from visitor); 1.0 stall per lot (unit less than 700 SF), 2.0 stalls per lot (units between 700 1000SF) and 2.0 stalls per lot (units greater than 1000 SF). All parking shall be 20 ft in depth and located outside of access ways.
- o Show location for guest parking; 1 stall per lot must be located in front of the garage if proper depth is provided and doesn't interfere with the shared driveway/access easement.
- o Show location for garbage/recycle/yard container storage on-site for each unit. The project shall enter into an agreement to have Waste Management provide collection on-site using the private access. Provide an approval letter from Waste Management with exhibit confirming on-site collection.
- A 20 ft wide private access drive to serve the units is acceptable in lieu of a 20 ft wide public street as required by KZC 105.10.1(b). Public Works supports this modification as the Cottage Project as proposed could have been proposed as a multi-family cottage project with a private access, and will approve the modification if all other access and parking requirements are met. The access needs a turn around per Fire Department requirements or the units each need fire sprinklers (confirm with the Fire Dept.); at a minimum the access shall extend past the last driveway to allow vehicles to back out and drive forward across the access easement.

For a modification to KZC 105.18 or 105.19 the requirements for pedestrian access may be modified if:

- 1) The modification is necessary because of the size, configuration, topography or location of the subject property;
- 2) The modification will provide for equal or improved pedestrian and bicycle safety and convenience; and
- 3) The modification will not have any substantial detrimental effect on nearby properties and the City as a whole.

Review KZC 105.103 for full details about Modifications and details about granting authority consistent with the approval processes for short plats and subdivisions.

- 3. Meet the requirements of the Kirkland Driveway Policy R-4. Spacing Table from R-4, for reference:
- 4. Meet the requirements of the Kirkland Intersection Sight Distance Policy R.13. All street and driveway intersections shall not have any visual obstructions within the sight distance triangle.
- 5. When three or more utility trench crossings occur within 150 lineal ft. of street length or where utility trenches parallel the street centerline, the street shall be overlaid with new asphalt or the existing asphalt shall be removed and replaced per the City of Kirkland Street Asphalt Overlay Policy R-7.
- Existing streets with 4-inches or more of existing asphalt shall receive a 2-inch (minimum thickness) asphalt overlay. Grinding of the existing asphalt to blend in the overlay will be required along all match lines.
- Existing streets with 3-inches or less of existing asphalt shall have the existing asphalt removed and replaced with an asphalt thickness equal or greater than the existing asphalt provided however that no asphalt shall be less than 2-inches thick and the subgrade shall be compacted to 95% density.
- 6. Prior to the final of the building or grading permit, pay for the installation of stop and street signs at the new intersections.
- 7. Install "NO PARKING ANYTIME" signs along 112th Ave NE
- 8. It shall be the responsibility of the applicant to relocate any above-ground or below-ground utilities which conflict with the project, associated street, or utility improvements.
- 9. Underground all new and existing on-site utility lines and overhead transmission lines. Underground any new off-site transmission lines.
- 10. Zoning Code Section 110.60.7.b establishes the requirement that existing utility and transmission (power, telephone, etc.) lines on-site and in rights-of-way adjacent to the site must be underground. The Public Works Director may determine if

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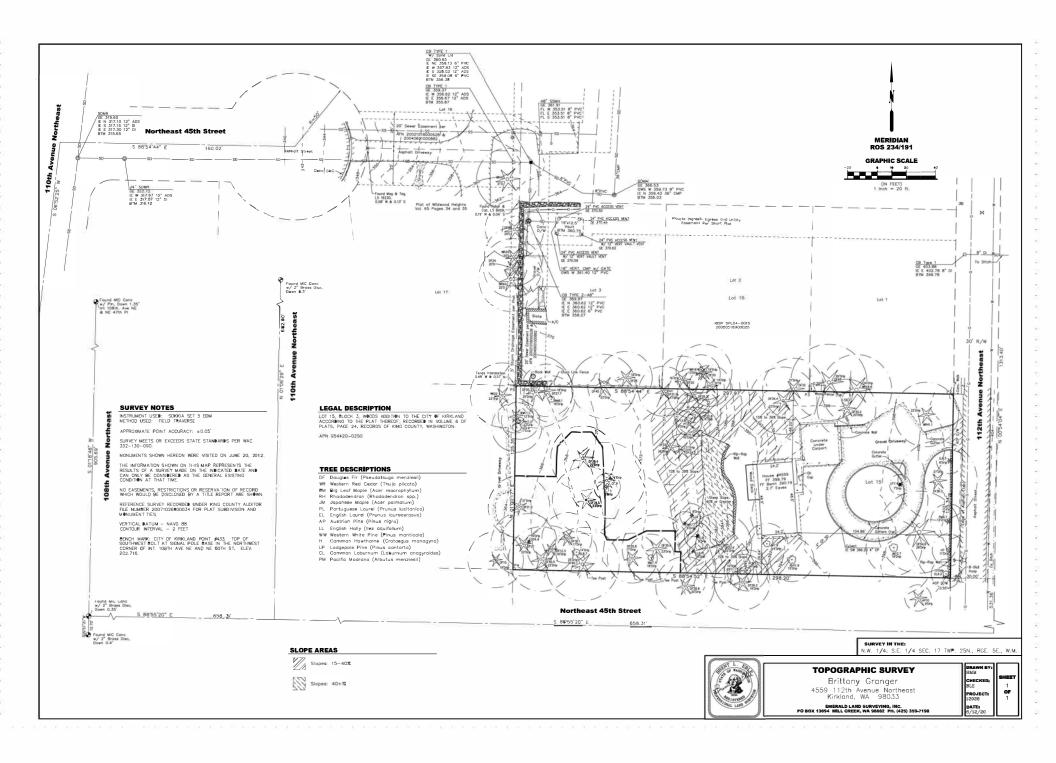
undergrounding transmission lines in the adjacent right-of-way is not feasible and defer the undergrounding by signing an agreement to participate in an undergrounding project, if one is ever proposed. In this case, the Public Works Director has determined that undergrounding of existing overhead utility on _______ is not feasible at this time and the undergrounding of off-site/frontage transmission lines should be deferred with a Local Improvement District (LID) No Protest Agreement. The final recorded subdivision document shall include the following note:

Local Improvement District (LID) Waiver Agreement. Chapter 110.60.7.b of the Kirkland Zoning Code requires all overhead utility lines along the frontage of the subject property to be converted to underground unless the Public Works Director determines that it is infeasible to do so at the time of the subdivision recording. If it is determined to be infeasible, then the property owner shall consent to the formation of a Local Improvement District, hereafter formed by the City or other property owners. During review of this subdivision it was determined that it was infeasible to convert the overhead utility lines to underground along the frontage of this subdivision on (((street name))). Therefore, in consideration of deferring the requirement to underground the overhead utility lines at the time of the subdivision recording, the property owner and all future property owners of lots within this subdivision hereby consent to the formation of a Local Improvement District hereafter formed by the City or other property owners

- 11. New LED street lights may be required per Puget Sound Energy (PSE) design and Public Works approval. Contact PSE to perform lighting analysis. If new lighting or upgrades are necessary, design plans must be submitted for review prior to issuance of an LSM or building permit.
- 12. A striping plan for the street must be submitted with the building or grading permit.

Related City Website Links

- City of Kirkland Pre-Approved Plans and Policies
- Public Works Development Fees
- Stormwater FAQs
- Application Forms (Electronic, Paper)
- KZC105 Private Drive, Private and Pedestrian Walkway Requirements
- KZC110 Public Right-of-way Improvement Requirements



David Aldridge III

From: Aaron Bosworth <aaron.bosworth@gmail.com>

Sent: Friday, April 30, 2021 2:15 PM

To: David Aldridge III

Subject: Public Comment - ZON21-00113 (8-Cottage Development in Houghton)

Hi David,

I'm writing to express my opposition to the 8-cottage development that has been proposed for the street where I live (112th Ave NE, Kirkland). The street where the proposed development would occur has never been fully completed; It is a narrow lane with an open ditch along one side, has no sidewalks, serves as the primary access road for Watershed Park, and it is a dead-end street with a very tiny turn-around. Pedestrian safety, traffic, and congestion are all issues on this street, and the proposed development would make these issues worse.

I am sympathetic to the City's desire to provide housing that is more affordable, but the existing infrastructure of 112th Ave. NE cannot support developments of this density. The proposed development does not fit with the character of our neighborhood. I ask that the City withhold approval of ZON21-00113 and work with this applicant to find a lower density development that better fits with the character of this neighborhood.

Thank you for considering my comments.

Best regards,
Aaron Bosworth
Aaron.Bosworth@gmail.com
425-736-5618

David Aldridge III

From: Dave Hawkins <dave@twg.llc>
Sent: Saturday, April 17, 2021 10:17 AM

To: David Aldridge III

Subject: RE: Proposed Land Use 112th Ave NE Kirkland ZON21-00113

David -

I would like to add a comment to the process and revise an earlier comment.

Regarding parking and sidewalks. A raised curb sidewalk should be added to the east side of 112th along the entire boarder of Watershed Park. This would be the simplest way to ensure safety of pedestrians and not allow vehicles to park on the sidewalk. The sidewalk would be more involved that just adding some fill and topping it with a sidewalk. The area today serves as drainage (perhaps storm), has mailboxes, utilities and trail access to Watershed Park.

In my comments submitted 4/7 I recommended that the developer be required to mitigate or offset the removal of trees by planting 300+ trees in Watershed Park. Trees planted in the park should have a 5 – year living guarantee. Maintained to help them stay alive for 5 + years. Many landscapers just plant small trees. Trees should be at least 6 feet in height (not 12 inch seedlings). They let the trees die and then replace them with small trees at the end of 5 years. The requirement should be for healthy living trees. The developer can always pay a non-profit to help plant and maintain the trees. The requirement should be tied to the condo association (or legal entity) that is the Watershed Cottages – even if the developer goes out of business or closes. Green Kirkland is a great outfit and does a lot of work in Watershed Park. The trees could also be described as a carbon offset for all the concrete and development.

I know the code is not currently setup this way but the City of Kirkland (COK) may wish to look into changing the code to mirror something the City of Vancouver BC does. Large homes in the city look like single family dwellings but are often two or three family dwellings in a house that is made to look old/mansion style with three units. The result is a neighbor that has a character and feel that looks thoughtful with character – not just prefab boxes or modern quick stick frame units. The result is a very pretty neighborhood.

Dave Hawkins

dave@twq.llc / 206-910-1308

From: Dave Hawkins

Sent: Wednesday, April 7, 2021 1:22 PM

To: David Aldridge III < DAldridge@kirklandwa.gov>

Subject: RE: Proposed Land Use 112th Ave NE Kirkland ZON21-00113

David – Thank you for the communication.

It appears the Houghton Code was NOT approved:

Code reviser's note: Ord. 4717's code amendments to this chapter were not approved by the Houghton Community Council and are not effective within the Houghton Community Municipal Corporation. This version of the chapter is without the amendments of Ord. 4717, and is effective within the Houghton Community Municipal Corporation.

Can you please clarify?

The code requires the following:

https://www.codepublishing.com/WA/Kirkland/html/KirklandZ113/KirklandZ113A.html

Location	Developments containing cottage, carriage ar
	not be located closer than the distance noted
	approved under the provisions of this chapte
	1 to 9 Units: 500'

There are other cottage, carriage and/or two/three unit homes within 500′ – I believe the property at 4531 112th is creating a separate unit. This development is within 500 ft. And on 47th there is a two unit home 11010 and 11016.

So if 4545 (the lot next door to proposed Watershed cottages) wanted to build 8 cottages on a similar lot then they would not be allowed to do so? Why should Watershed cottages get the rights to build at such density when others in the area will now be restricted from development?

Below are my comments based on the documents and information I found in your links.

Watershed Cottages:

Erosion Control BMPs

RGI recommends the following erosion control Best Management Practices (BMPs): ¬ Scheduling site preparation and grading for the drier summer and early fall months and undertaking activities that expose soil during periods of little or no rainfall ¬ Retaining existing vegetation whenever feasible ¬ Establishing a quarry spall construction entrance ¬ Installing siltation control fencing or anchored straw or coir wattles on the downhill side of work areas ¬ Covering soil stockpiles with anchored plastic sheeting ¬ Revegetating or mulching exposed soils with a minimum 3-inch thickness of straw if surfaces will be left undisturbed for more than one day during wet weather or one week in dry weather ¬ Directing runoff away from exposed soils and slopes ¬ Minimizing the length and steepness of slopes with exposed soils and cover excavation surfaces with anchored plastic sheeting (Graded and disturbed slopes should be tracked in place with the equipment running perpendicular to the slope contours so that the track marks provide a texture to help resist erosion and channeling. Some sloughing and raveling of slopes with exposed or disturbed soil should be expected.) ¬ Decreasing runoff velocities with check dams, straw bales or coir wattles ¬ Confining sediment to the project site ¬ Inspecting and maintaining erosion and sediment control measures frequently (The contractor should be aware that inspection and maintenance of erosion control BMPs is critical toward their satisfactory performance. Repair and/or replacement of dysfunctional erosion control elements should be anticipated.)

As a large amount of grading work is expected on site the above is particularly important. Sweep daily. COK enforcement daily during all grading and open dirt work.

Access and Easement -

Can the (4) lower cottages feed from 110th and the driveway/road below and the upper (4) cottages feed from 112th to split traffic impacts?

Tree Mitigation – For all the trees being removed from the site can the Developer/Builder help Green Kirkland with an offset and plant 300 or more trees and pay for invasive species removal in Watershed Park? It would make for a great story when they sell "Watershed" Cottages.

CORE REQUIREMENT #1: DISCHARGE AT THE NATURAL LOCATION See Section 3. The site contains two drainage basins with separate discharge locations. In the existing condition, the existing parcel generally sheet flows to the western property boundary and the right-of-way discharges to the existing ditch along the east side of 112th Ave NE. In the developed condition, site runoff will be detained by a proposed onsite detention vault, ultimately conveying flows to an existing tightline system on an adjacent parcel located northwest of the proposed site. Runoff collected from the right-of-way will discharge to an existing ditch along the eastern side of 112th Ave NE.

There is no way water goes to the ditch on 112th. Anyone who have seen the site can tell you everything slopes away from 112th. If the site has to be graded to make flows to the ditch on 112th handle water then the grading in the plan is greatly underestimated. Storm drainage would need to be greatly improved over what is proposed. Can easement be procured that drains or feeds stormwater services on 110th? This seems a better option over the vault and access could mitigate traffic impacts on 112th.